## City of PORTLAND, OREGON

Office of Mayor Sam Adams



## Sam Adams, Mayor

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## City of Portland and Department of Justice reach proposed agreement

Today Mayor Sam Adams, Portland Police Bureau (PPB) Chief Mike Reese, U.S. Department of Justice (DOJ) Attorney for Oregon Amanda Marshall and Commissioner Amanda Fritz released a <u>proposed agreement</u> that will change the way the Portland Police Bureau provides service to the community.

"This agreement will not only improve the Portland Police Bureau, but also fast-track healthcare reforms that will increase the availability of community-based mental health care services," Mayor Sam Adams said. "Some solutions will require additional funds, others will require the expediting federal and state healthcare reforms already underway, and others will require labor negotiations with our employee labor organizations."

"When I took over as Police Commissioner, I said I would aggressively pursue changes that would make the Portland Police Bureau the best in the nation," Mayor Adams added. "To that end, Commissioner Dan Saltzman, community leaders, and I invited the federal government to conduct this evaluation and make recommendations. I embrace the changes called for in this proposed agreement."

The proposed Agreement is separated into several parts, summarized here:

1. <u>Use of Force</u>: PPB will retain its current force policies, which emphasize the use of less force than the maximum permitted by law. The PPB will add to its force policies de-escalation techniques and consideration about the mental health status of the person encountered (if available).

In addition, new policies reflecting best practices will be instituted regarding use of "Tasers." Such policies generally will require verbal warnings, restrict the use of Tasers on people suffering from mental illness, and prohibit their use on handcuffed suspects.

The City welcomes public comment on these <u>draft policies</u>, currently available on PPB's website.

The draft Agreement with DOJ strengthens PPB policies regarding force reports, to ensure they are timely, complete and require on-scene investigations by supervisors when a force event occurs. All supervisors in the chain of command are subject to discipline for the accuracy and completeness of force reports and investigations.

The use of force will also be subject to quarterly audits by an independent Inspector who will identify and correct deficiencies revealed by this trend analysis.

- 2. <u>Training:</u> The Training Division will revise and update PPB's training plan annually to take into account any problematic uses of force and input from the community. PPB must also train all officers on the requirements of this proposed settlement Agreement. The independent Inspector also will audit the PPB's training program using a list of performance standards that PPB must meet.
- 3. <u>Community-Based Mental Health Services:</u> DOJ recognizes that there are other participants in the mental health infrastructure besides the City that control the quality of mental health care, including the State of Oregon, Multnomah County, Community Care Organizations (CCOs), community mental health providers, health care and emergency department providers, private insurers, and many others.

This proposed Agreement is only binding on the City of Portland, but DOJ expects community partners to assist the City to remedy lack of community-based addiction and mental health services to Medicaid and uninsured residents.

The City is grateful that CCOs and community partners have agreed to fast-track mental health service improvements to mid-2013. Through that process the City, CCOs and community partners will identify opportunities for the dispatch of mental health professional instead of police officers if and when appropriate. Additionally we will pursue better real-time access to information when a person who has encountered the police is having a mental health crisis and needs assistance.

4. <u>Crisis Intervention:</u> The PPB has agreed to develop an Addictions and Behavioral Health Unit (ABHU) within 60 days of the agreement's effective date. It will also oversee PPB's Crisis Intervention Team, a Mobile Crisis Prevention Team and a Service Coordination Team.

An ABHU Advisory Committee comprised of individuals from across various government entities and mental health services providers, (among others) will be established to assist the City as it provides these enhanced services.

PPB will continue to provide Crisis Intervention training to all its officers. In addition, the City will establish a "Memphis Model Crisis Intervention Team" and recruit volunteer officers to serve on that team. Such members will receive additional specialized training and will be dispatched if a crisis event occurs involving someone with a real or perceived mental illness.

PPB will expand the Mobile Crisis Prevention Team (formerly known as a Mobile Crisis Unit) to one car per PPB Precinct from one car citywide. The car shall be staffed by one sworn PPB officer and a civilian mental health professional and shall be a full time assignment.

The Bureau of Emergency Communication's 9-1-1 dispatchers will complete training to triage calls related to mental health issues to the appropriate first responder resource.

- 5. <u>Employee Information System:</u> The City has an employee information system to gather data and assist issues affecting employees. This will be enhanced to earlier and more effectively identify at-risk employees so that proper training can occur.
- 6. <u>Officer Accountability</u>: The City will reduce the timeline for all administrative investigations of misconduct to 180 days from the receipt of a complaint. This timeline includes appeals to the Citizens Review Committee.

The City will also revise its protocols for "compelled statements" from officers involved in force incidents to ensure that the law is followed while still obtaining more timely information. The City must submit this protocol for DOJ approval

PPB's Police Review Board, which advises the Chief on administrative reviews and recommendations for discipline, will include a member from the Citizen Review Committee in cases where use of force is being reviewed. The Citizens Review Committee will be expanded to 11 members.

7. <u>Community Outreach</u>: There are a number of changes concerning community outreach. The Community and Police Relations Committee is part of the Portland Human Rights commission, and its function is to bring together members of Portland's diverse communities to improve community and police relations. The committee will be renamed the Community Oversight Advisory Board (COAB) and its functions and membership will change. Its new functions include assessing the implementation of the Settlement Agreement, providing information to the community about the Agreement and its implementation and to contribute to the development of a PPB Community Engagement and Outreach Plan.

The 20 member COAB, which includes 15 voting members and 5 advisory members, will be chaired by a Compliance Officer and Community Liaison (COCL). Voting members of the Board

include the five Human Rights Commission members, five members chosen by City Council members and five members chosen by the community.

8. <u>Implementation:</u> The City will hire a COCL within approximately 90 days. The duties of the COCL including preparing quarterly public reports regarding PPB's compliance with the agreement hold quarterly town hall meetings and providing recommendations to ensure PPB is in compliance with the agreement.

In addition, PPB will designate a Compliance Coordinator to serve as a liaison between PPB, the COCL and DOJ. The Compliance Coordinator will coordinate PPB's compliance activities, provide data to DOJ, and collection information for the COCL.

9. Enforcement: To permit federal court oversight, DOJ will file a complaint against the City and will file this settlement agreement at the same time. If disputes arise regarding PPB's compliance with the agreement, there is a dispute mechanism that favors discussions and mediation before court action. City Council will hear public comment at a hearing November 1, 2012 at 2pm in City Council Chambers.

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