

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

GREGORY HORNER,
Petitioner,

Case No. 20CV27395
The Honorable Andrew Lavin

v.

ORDER

TRACY REEVE, City Attorney for the
City of Portland, a municipal corporation,
Respondent.

This matter came before the Court by briefing of the parties. Petitioner Gregory Horner appeared *pro se*. Respondent appeared by and through its attorney, Caroline Turco. The parties, having conferred and stipulated to the following language, requests the Court sign this Order allowing for such language to be used on the ballot.

Ballot Title

Community Police Oversight Board

CAPTION

Amends Charter: Authorizes new, independent community police oversight board.

QUESTION

Shall Charter be amended to authorize new, independent community police oversight board to investigate complaints against Portland Police, impose discipline?

SUMMARY

The measure adds a Charter section authorizing an independent police oversight board appointed by City Council.

Board Membership:

- Members from diverse communities, particularly those with lived experience of systemic racism and those who have experienced mental illness, addiction, or alcoholism.
- Shall not include current law enforcement employees and immediate family members or former law enforcement employees.
- Board size, members' terms, term limits to be determined by City Code.

Board Budget:

- Shall be no less than 5% of the Police Bureau's operating budget.

1 Board Staff:

- 2 • Board shall appoint a Director who serves at the pleasure of Board and who appoints staff and investigators.

3 Board Powers and Duties:

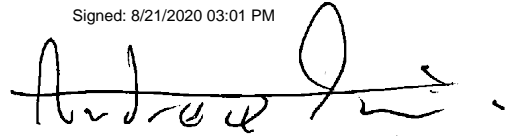
- 4 • Investigate all deaths in custody, uses of deadly force, complaints of force causing injury, discrimination against protected classes, constitutional rights violations
- 5 • Investigate complaints
- 6 • Subpoena documents
- 7 • Access police records
- 8 • Compel witness statements, including from police officers
- 9 • Impose discipline, including termination
- 10 • Recommend policies focused on community concerns to Police Bureau, City Council
- 11 • Powers restricted by State, Federal laws
- 12 • Remove barriers for members' participation

13 Other provisions to be established by City Code.

14 **The Court, having been advised of the positions of the parties, HEREBY ORDERS**

15 **that the parties' proposed language as outlined in this Order may be used on the ballot.**

Signed: 8/21/2020 03:01 PM



16 **Circuit Court Judge Andrew M. Lavin**

17 Presented by:

18 /s/ Caroline Turco

19 Caroline Turco, OSB No. 083813
20 Deputy City Attorney
21 Office of the City Attorney
22 1221 SW 4th Avenue, Suite 430
23 Portland, OR 97204
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2 **CERTIFICATE OF SERVICE AND COMPLIANCE WITH UTCR 5.100**

3 I hereby certify that I served the foregoing RESPONDENT CITY OF PORTLAND'S

4 ORDER on:

5 Gregory Horner
6 *weneedainquisitor@protonmail.com*
7 *Pro Se Petitioner*

8 on August 19, 2020, by causing a full, true and correct copy thereof to be delivered by the
9 following method, and there is no objection to this order under UTCR 5.100(1)(b):

- 10 by e-filing using the court's Odyssey File and Serve system.
- 11 by **mail** in a sealed envelope, with postage paid, and deposited with the U.S. Postal
12 Service in Portland, Oregon.
- 13 by **hand delivery**.
- 14 by **facsimile transmission**.
- 15 by **email**.

16 DATED: August 19, 2020

17 Respectfully submitted,

18
19 */s/ Caroline Turco*
20 Caroline Turco, OSB No. 083813
21 Deputy City Attorney
22 Email: caroline.turco@portlandoregon.gov
23 Of Attorneys for Respondent
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