



CITY OF PORTLAND

Office of City Auditor Mary Hull Caballero

Independent Police Review

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FOR IMMEDIATE RELEASE

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INDEPENDENT POLICE REVIEW WILL CONDUCT A POLICY REVIEW INTO THE PORTLAND POLICE BUREAU'S COMPLIANCE WITH BRADY V MARYLAND

The Independent Police Review (IPR) of the City Auditor's Office will conduct a policy review of how the Portland Police Bureau complies with its obligation under the United States Constitution to provide criminal defendants with evidence that is material to their guilt or innocence or as to punishment. The constitutional duty stems from a landmark 1963 US Supreme Court decision in *Brady v. Maryland* which states, "that the suppression by the prosecution of evidence favorable to an accused violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution." Later court cases have extended the duty to disclose material exculpatory evidence to police agencies. Generally police agencies fulfill their obligations under *Brady* by notifying prosecutors of the exculpatory evidence, prosecutors then notify a defendant's attorney.

When the policy review is complete, IPR will issue a public report. IPR's review will cover three areas:

- 1) How the Police Bureau's current policy and procedures define *Brady* material and an officer's constitutional duty.
- 2) Training received by officers on their obligations under *Brady*.
- 3) Police Bureau's current policy on disclosing to prosecutors when the Police Bureau has material that would fall under *Brady*.

The Independent Police Review was created in 2001 as the City of Portland's civilian oversight agency of the Portland Police Bureau. IPR is a division of the [City Auditor](#) and is authorized to take community member complaints or commendations about PPB officer behavior. Additionally, IPR is tasked by City Code with conducting reviews of Police Bureau policies and practices.

For additional information contact IPR Director Constantin Severe at (503) 823-0146.