

**Please note: This is a working draft of Directive 337.00. This is proposed language and the Bureau has not implemented any changes at this time.*

337.00, Police Review Board Personnel Selection

2nd Universal Review: 7/10/17-7/24/17

Refer:

- City of Portland Code 3.20.140, Police Review Board
- DIR 330.00, Internal Affairs, Complaint Intake and Processing
- DIR 336.00, Police Review Board

Policy:

1. The Portland Police Bureau's (PPB) Police Review Board (PRB) serves as an advisory body to the Chief of Police. The PRB includes command staff, community members and peer members of the same rank as the Bureau member whose conduct is the subject of review, in addition to a facilitator. Portland City Code 3.20.140 requires PPB and Independent Police Review (IPR) to establish a directive outlining selection criteria and confidentiality provisions for PRB members and facilitator.

Procedure:

1. PRB Community Members.
 - 1.1. Pursuant to City code, IPR is responsible for the selection and management of qualified community member volunteers approved to participate on the PRB.
 - 1.1.1. The Chief of Police may identify candidates for IPR's consideration, but the IPR is ultimately responsible for providing a list of qualified candidates to the Chief of Police.
 - 1.2. Qualification of PRB Community Members:
 - 1.2.1. Community members must pass a background check performed by PPB.
 - 1.2.2. Community members must participate in Bureau training to become familiar with PRB process, police policy, and training.
 - 1.2.3. Community members must sign a confidentiality agreement.
 - 1.2.4. Community members will be required to participate in ride-alongs to maintain sufficient knowledge of police patrol procedures.
 - 1.3. Appointment of PRB Community Members:
 - 1.3.1. Community board members will be selected by City Council, upon nomination by IPR, based on the following:
 - 1.3.1.1. Demonstrated ability to make sound and rational decisions under pressure.
 - 1.3.1.2. Demonstrated ability to review complex investigations.
 - 1.3.1.3. Absence of any real or perceived bias for or against the police.
 - 1.3.1.4. Absence of any real or perceived conflict of interest.
 - 1.3.1.5. Residence or business ownership within the City of Portland.
 - 1.3.2. The City Council will confirm community member volunteers to form a pool of community members to serve on the PRB.
 - 1.3.3. Community members shall be appointed for a term of no more than three years. Community members may serve no more than two full terms, not including the remainder of any unexpired vacancy they are appointed to fill.
 - 1.4. Removal of PRB Community Members:

1.4.1. The Chief of Police or IPR may recommend that City Council remove a community member from the pool for the following reasons:

- 1.4.1.1. Failure to attend training,
- 1.4.1.2. Failure to read Case Files,
- 1.4.1.3. Objective demonstration of disrespectful or unprofessional conduct,
- 1.4.1.4. Repeated and excessive unavailability for service when requested,
- 1.4.1.5. Breach of confidentiality,
- 1.4.1.6. Objective demonstration of bias for or against the police, and/or
- 1.4.1.7. Objective demonstration of conflict of interest.

2. PPB PRB Peer Members.

2.1. Appointment of PRB Peer Members:

- 2.1.1. Representatives of PPB's bargaining units may review peer member applications.
- 2.1.2. Peer member applications will be reviewed by assistant chiefs, the Professional Standards Division Captain, and a Responsibility Unit Manager, who will make recommendations to the Chief of Police.
- 2.1.3. The Chief of Police will appoint Bureau members to serve as peer members for the PRB.

2.2. Eligibility and Removal of PRB Peer Members:

- 2.2.1. All peer members will serve at the discretion of the Chief of Police.
- 2.2.2. Bureau members are ineligible to serve as PRB peer members for the following reasons:
 - 2.2.2.1. Members currently under investigation are ineligible to serve as a peer member until the investigation is closed and any resultant discipline is imposed as a result of a sustained finding.
 - 2.2.2.1.1. This provision does not apply to investigations of complaints regarding poor quality of service or alleging a rule violation that, if sustained, would not result in corrective action greater than command counseling.
 - 2.2.2.2. Members whose actions have resulted in a sustained finding related to unsatisfactory performance or misconduct, with resulting discipline less than a 40-hour suspension, are ineligible to serve as peer members for a period of one year from the date they accept notice of final discipline. Members can reapply after the one year has passed.
 - 2.2.2.3. Members whose actions have resulted in a sustained finding related to unsatisfactory performance or misconduct, with resulting discipline greater than a 40-hour suspension without pay, are ineligible to serve as peer members for a period of two years from the date they accept notice of final discipline. Members can reapply after the two years has passed.
- 2.2.3. Peer members may request to be removed from the list of peers at any time.

3. PRB Facilitator.

3.1. Qualifications of PRB Facilitator:

- 3.1.1. To qualify, facilitators must:
 - 3.1.1.1. Pass a background check performed by PPB.
 - 3.1.1.2. Participate in Bureau training to become familiar with the PRB process.
 - 3.1.1.3. Sign a confidentiality agreement.

3.2. Appointment of PRB Facilitator:

- 3.2.1. The PRB will be facilitated by an independent contractor who is not a board member or employed by PPB and will be selected as follows:
 - 3.2.1.1. PPB will prepare a solicitation document in accordance with City procurement rules.
 - 3.2.1.2. PPB will provide the IPR Director a draft of the solicitation document for comment.
 - 3.2.1.3. The selection criteria will include:
 - 3.2.1.3.1. Experience in the basic skills of following good meeting practices: timekeeping, following an agreed-upon agenda, and keeping a clear record.
 - 3.2.1.3.2. Experience in managing groups and individuals and group dynamics.
 - 3.2.1.3.3. Demonstrated listening skills including ability to paraphrase and balance participation.
 - 3.2.1.3.4. Demonstrated ability to be a 'content neutral' party who by not taking sides or expressing or advocating a point of view during the PRB meeting can advocate for fair, open, and inclusive procedures.
 - 3.2.1.3.5. Demonstrated ability to contribute structure and process to interactions so groups are able to function effectively and make high-quality decisions.
- 3.3. PPB will screen the responses to the solicitation in accordance with City procurement rules.

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