

SOURCE	SETTLEMENT PARAGRAPH	RECOMMENDATION	RESPONSE
Portland Copwatch	Executive Summary	The Use of Force Policy (Directive 1010), which has been put out at least three times for public review, is being rewritten to incorporate all relevant policies around specific weapons (such as Tasers and pepper spray) and reporting requirements (After Action Reports-- formerly known as "940s" because of the policy number). The COCL report lists the policies by number (940, 1020, 1025, 1030, 1035, 1040, 1050, 1051 and 1090), but doesn't list what they are about	The Directive names have been added to the Executive Summary
Portland Copwatch	Executive Summary	In Force Audits, the COCL is asking the Bureau not to only see if the reports made are complete, but to assess the reasonableness of the use of force. It's a bit troubling that both weren't already being done.	PPB has indicated they are, in fact, conducting reasonableness assessments. However, the process is not standardized using methods acceptable to the COCL. The focus of Phase II is to standardize the process so that it is replicable and auditable.
Portland Copwatch	66/67	A team reviewing policies (Directives) involves multiple Bureau personnel including legal counsel, the DOJ and the COCL. The COAB, which made over 50 recommendations about policies, was not invited, even though when they were still active in November they asked to be included.	Although members of the COAB did not physically participate in the meetings, their input on discussed policies was included, discussed, and incorporated.
Portland Copwatch	Various Paragraphs Related to Policy	Although the COCL previously made requests for the Bureau to put out "redline" versions of policies so the public could see what is being changed, that recommendation is now missing. For what it's worth, the Bureau did a fairly thorough job explaining changes made to the Directive on officers interacting at airports in early April, but only after it was finalized.	Although we do not always repeat recommendations from past reports, we maintain that PPB should represent what changes are present in revised directives. We agree with Portland Copwatch that current PPB efforts to explain policy changes are a positive step in this direction though will continue to discuss with PPB how to present changes prior to finalization.
Portland Copwatch	79	In taking the Bureau to task for separating their "five core disciplines" (patrol tactics, etc.) across 11 categories outlined by the Agreement, they did not take up PCW's suggestion to add a sixth discipline of communication	As indicated in previous responses to Portland Copwatch comments, we believe that "communication" should be considered in each of PPB's five core disciplines. We believe that separating it out may contribute to a silo mentality rather than reflect it's application to all disciplines. We have emphasized repeatedly the importance of communication skills in training to prevent the escalation of conflict.

Portland Copwatch	Executive Summary, 80, and 84	The Training Division finally provided a four-hour equity class to line officers during In-Service Training which has been on hold since Sergeants were trained in late 2013. Apparently, community members were invited to talk to officers about historic tensions and inequities. This concept was something AMAC has been asking the Bureau to do for years-- we wonder why the Coalition was not invited to participate in the trainings. The COCL, which observed the training, writes that it was good to hear from people of color and "those from lower socioeconomic categories," which may indicate more training is needed regarding language use.	We cannot speak to how PPB determined the composition of the speakers. We have revised the term lower socioeconomic categories.
Portland Copwatch	81	It is not clear whether the COCL looked at the Learning Management System software the Bureau has purchased and is now getting customized; if the software is not appropriate for the PPB/ the Agreement/ the COCL's expectations, it was far too late to fix it now	In previous reports, we reviewed and commented on PPB's system requirements for the Learning Management System sought by PPB. The system requirements we reviewed were sufficient given the requirements of the Settlement Agreement.
Portland Copwatch	83	Regarding the selection of trainers, while the Report accurately reflects that the Bureau only has to "take into account" civil judgments regarding use of force, they ask the PPB to use a "common sense standard" when doing so. The academic team should have a more concrete suggestion, such as, "if the officer was found liable in an excessive or deadly force case, do not let them train other officers."	Our authority only extends to the letter of the Settlement Agreement. As the Agreement only requires PPB to "take into account" such civil judgments, we cannot recommend PPB implement such a concrete rule. Thus, we maintain that a common sense standard (similar to a reasonable person standard) is most appropriate here.
Portland Copwatch	84	The COCL says officers in a scenario where they had to face the wall, then turn around and decide how to respond to a person behind them, were correct to fire their weapons at a person they saw pointing a gun at them. Perhaps the COCL has not heard of former West Virginia officer Stephen Mader, who saw a man coming at him with a gun but was able to take him into custody without using deadly force using his military training to assess the threat. (Unfortunately, Officer Mader was fired for failing to fire his weapon--Pittsburgh Post-Gazette 9/10/16.) In the next scenario, half the officers drew weapons on a person holding their hands in their pockets, while others engaged in conversation. The COCL asks the Bureau to conduct more trainings with community members who are harmless. They write, "Maintaining a heightened sense of danger is not a flawed strategy, so long as this internal state and not externally displayed in a manner that leads to unnecessary force events," calling for more scenarios with de-escalation and communication	As for the PPB's training scenario, our position is that given the totality of the circumstances of a subject pointing a firearm at an officer (as was the case with the scenario), we maintain that it is completely reasonable for an officer to use lethal force. However, we appreciate the acknowledgement of our call for additional training with community members where force is not needed.

Portland Copwatch	86	While we agree that the Inspector's presentations of Use of Force data to the Training Advisory Council (TAC) have been too shallow, we can't support suggesting that same Bureau member help the TAC examine long term trends, as the COCL did. The TAC should be holding the Bureau accountable.	We agree that TAC should hold PPB accountable. However, TAC works collaboratively with PPB and our recommendation for the Inspector to work with TAC reflects such collaborative engagement.
Portland Copwatch	87	The COCL also dropped a previous recommendation for the City to outline what topics of "public safety concern" might cause TAC to go into executive session, and fails to acknowledge that TAC has an email list to invite the public to its meetings	As indicated in our report, we have not "seen any instance where TAC had to discuss matters deemed confidential or which raised public safety concerns." As such, our previous recommendation does not bore repeating. Should TAC hold a closed meeting, we will evaluate the reasons at that time. As to the comment on TAC's email list, we had mentioned this in our previous report.
Portland Copwatch	90	While the COCL acknowledges that the City does not have control over what outside agencies do around mental health, there is not a meaningful critique of the much ballyhooed Unity Center which just opened, which doesn't really match the "drop off/walk-in center" envisioned by the Agreement	The City and PPB are <i>participants</i> in community mental health response and do not have sole decision making ability. As participants, we believe PPB is making substantial efforts to play their part in the operation of the Unity Center, though we will continue to monitor progress in this area. Note that Unity was not open during the period covered by the report.
Portland Copwatch	94, 95, 96, 98, 101, 102,104,108, 109, 113, 114, 121	As PCW has noted before, the Behavioral Health Unit Advisory Committee (BHUAC), which does not hold public meetings, has made multiple recommendations across various aspects of the Settlement Agreement. They not only received feedback, but it is noted repeatedly, that their input was incorporated by the PPB as well as the Bureau of Emergency Communications (BOEC). While the COCL makes a fantastic observation about how the closed-door hearings that were held to discuss the future of Portland's officer accountability system "did not meet the spirit of the Settlement Agreement", it's frustrating that they conversely support BHUAC's refusal to hold public meetings-- or at least to ask for broader community input when they make suggestions. More efforts should be made to force the BHUAC to act more like the COAB was envisioned. If not, any of their recommendations which run contrary to broader community concerns will be cemented by COCL and DOJ approval and institutional momentum with no public scrutiny.	While we maintain that not all BHUAC meetings need be open to the public, we have revised our report to recommend BHUAC conduct some of their meetings publicly where confidential information is not discussed.

Portland Copwatch	94, 104	The COCL dropped the suggestion for BHUAC to use an email alert for those interested in knowing about their activities. BHUAC looked at ways the ECIT is highlighting its work but made no recommendations, including, not surprisingly, that ECIT could send information out over such an email list.	Although we do not always repeat recommendations from past reports, we do recommend in this report that BHUAC "explore options for coordinating with the community." This may include an email alert.
Portland Copwatch	94, 95, 96, 98	In discussing the BHUAC's decisions to keep their meetings from being public, the COCL cites the Committee's claim that they will be unable to discuss "sensitive topics," conceding that they are "satisfied" BHUAC putting its minutes on line is a good "compromise". This is not an acceptable way for one of the main concerns raised by the DOJ's lawsuit (officer interaction with people experiencing mental health issues) to be improved through the lens of Community Engagement. BHUAC must find a way to open part of their meetings to the public and/or hold special sessions (while COAB is not functioning) to ask for community input before they make recommendations. At this point, they also need to go back and explain all the recommendations they already made to be sure they have community support. While the Report outlines various topics of review (cultural diversity at ECIT, BHU outreach, BOEC Triage/training, the state plan and the COAB) there is no indication what the substance of the recommendations were.	While we maintain that not all BHUAC meetings need be open to the public, we have revised our report to recommend BHUAC conduct some of their meetings publicly where confidential information is not discussed.
Portland Copwatch	102	The ECIT training now includes more cultural diversity; it's not clear how they are achieving this laudable goal	We have revised our report to clarify how the ECIT training included more cultural diversity.
Portland Copwatch	105	For some reason, even though officers are supposed to fill in a special form (the "Mental Health Mask") when they have an interaction involving someone who is or may be in crisis, they do not have to do so if they aren't also writing a "general offense" report.	For the timeframe of the report, this comment is inaccurate. Officers completing the MHM in the past did so regardless of whether they completed a General Offense (GO) Report. With the revision of the MHM (due to legal issues), officers in the <i>future</i> will only complete them when there is an accompanying GO Report.
Portland Copwatch	112	The COCL continues to find the Service Coordination Team (which takes people who have been arrested multiple times and forces them into treatment) in compliance with the Agreement, even though they are finally including the fact that SCT's graduation rate is just 20%	As further detailed in May 2017 Outcome Assessment, the 20% graduation rate is not the best representation of SCT success. Given the behavioral patterns of SCT participants and the impact of SCT on graduates (as well as non-graduates), we maintain that SCT is in compliance with the Agreement.

Portland Copwatch	156, Various Paragraphs Related to Policy, 121	The COCL says in various places that it is better to do quality work than to move too quickly, claims they are working with the DOJ and PPB as fast as they can to finalize policies (which were supposed to be in place within the first 180 days of the Agreement, or by early 2015), and casually mentions they just gave over a plan on how to audit trainings in December (almost 2.5 years into the Agreement), but calls the length of time getting changes made to the oversight system "harrowing." They suggest that the City, "Independent" Police Review (IPR) and Internal Affairs just re-work the whole system since there will never be a consensus. That, we say, is extremely antithetical to the spirit of the Agreement.	COCL has repeated expressed the need for public involvement in changes in the accountability process ("A finalized plan needs to be crafted and implemented as soon as possible utilizing input from the community"). However, IPR, IA, and City Council do need to "create a plan for reform and implement the changes necessary." We maintain that discussion cannot "continue indefinitely."
Portland Copwatch	121	The COCL does a fairly good job summarizing the various iterations of proposed changes to the IPR, including that the initial proposal was to hold appeals behind closed doors. They also note that a major overhaul is needed, not just minor tweaks (don't "put bandaids on a bullet wound"), and agree that having just 11 members on CRC is not sustainable if there is a new backlog of appeals for them to hear. However, as we have noted before, the COCL has not actually attended CRC meetings or hearings and makes some inappropriate statements. First, that the CRC "doubled its efforts" after the Director said there was a nine month delay on appeals in September, clearing out their backlog. In fact, CRC met two times in January, February, March and June 2016 (before September), but only held two meetings twice (in October and January) after the Director's pronouncement. We submit that IPR was exaggerating the backlog for dramatic effect to try to force their changes through Council.	Portland Copwatch is incorrect that members of COCL have not attended CRC meetings (we corrected Portland Copwatch's inaccuracy in our last response spreadsheet as well). Members of COCL <i>have</i> attended CRC meetings and will continue to attend meetings in the future. Regarding the CRC backlog, we do not agree that "IPR was exaggerating the backlog for dramatic effect" as we have not seen any evidence to substantiate this claim. However, we have seen evidence that (1) the backlog existed and (2) effort on the part of CRC was made to clear the backlog.
Portland Copwatch	123	We don't remember hearing this even though we attend CRC meetings every month where Internal Affairs reports in, but apparently PPB hired three more IA investigators. We continue to believe that added resources should go to IPR so they can do more "meaningful independent investigations" as envisioned by the Agreement	We agree that IPR should be adequately staffed to conduct "meaningful independent investigations." We anticipate that as the accountability process is revised, adequate resources will be alloted to IPR.
Portland Copwatch	125	In the last Report, the COCL said it is OK for CROs not to be issued for 4-6 hours after a shooting, so long as officers are separated "immediately." However, the new Report defines "immediately" as after medical units are allowed into the crime scene. While it is true that is when the police deem the scene "secure," they also have been known to delay medical response, and could use that caveat to get their stories straight.	Our evaluation of previous OIS events has not shown this to be the case, though we will continue to examine whether medical response is unnecessarily delayed in future OIS events and if so, whether this unnecessarily delays the separation of involved/witness officers.

Portland Copwatch	129	Even though the Agreement says to investigate all Use of Force complaints, two were dismissed. In one case, the Bureau says a police car video recorder didn't support the evidence. The IPR conferred with them and agreed; the COCL did not check the video, meaning their acceptance of this particular claim is not supported by evidence, only anecdotes. In the other case, an officer self-reported not having physical contact with the complainant and the PPB and IPR agreed again. To their credit, the COCL asked that case to be re-opened and given a finding, even if it is "exonerated"	The Settlement Agreement requires IPR to make a determination as to whether there was "clear and convincing evidence" that the "allegation has no basis in fact." In previous reports, we have discussed IPR's standard for review in this respect and have found it to be sufficient. Thus, we maintain that the requirements of Par. 129 have been satisfied in this instance.
Portland Copwatch	131	Because the Police Review Board (PRB) never meets in public, and IPR has stopped inviting the public to trainings, we were unaware that the Board's members do not receive ongoing training about Bureau policies and protocols. They are invited to come to trainings for new members, but it is not required. It seems that if they are judging whether officers are in policy and recommending discipline only once or twice a year, they should be given annual refresher trainings.	COCL, as well as DOJ, maintain that the current training provided to PRB members is sufficient to meet to requirements of the Settlement Agreement.
Portland Copwatch	134	Also with regard to CRC, the COCL's copy-and-paste text about the qualifications of the 11 member group continues to use the double negative "we have no reason to believe the CRC members are not neutral [and] unbiased". It seems that scientists would be more likely to examine CRC members' comments and action and declare "CRC members are, in our opinion, neutral and unbiased."	We have revised our report to clarify that we have reviewed CRC members' comments and actions and that we have found them to be neutral and unbiased.
Portland Copwatch	135/136	It's not clear why the COCL has changed the rating on whether the CRC is able to send cases back to the Bureau for more investigation and get results in 10 days from Substantial to Partial, and now back again. If it is because there were no requests in the 6 months under review, that again is not a scientific analysis-- the absence of over-long follow up investigations because there were none conducted does not make the Bureau in compliance.	The changed rating (compared with prior reports) is due to changes in City Code PSF-5.03. Although there were no instances of CRC requesting additional information, the fact that the code was changed was the impetus for Substantial Compliance.
Portland Copwatch	138/139/140	The COCL, at our urging, listed the state laws IPR hides behind when failing to report information that might be useful to complainants or the public: ORS 192.501 and ORS 181A.830 (cited in the final Q1/Q2 report). That said, the COCL is fine with the City Attorney's criteria for releasing information publicly-- only for high ranking officers and misconduct of a serious nature. We contend that because police officers have the unique ability to touch, harm or kill civilians, they are not ordinary employees, and that all misconduct involving interactions with community members are "in the public interest" (as per the state law's guidelines).	The City Attorney's Office criteria for disclosure appears to be consistent with ORS 192.501. ORS 192.501 does not carve out a blanket disclosure requirement for law enforcement.

Portland Copwatch	141-145	Describing why the COAB fell apart, the Report cites issues between the COCL, the Parties (DOJ, City, AMAC and Portland Police Association), COAB members and the community as "hindrances" to their ability to function. They add, "Some [COAB members] felt distrustful toward the COCL as Chair" (Executive Summary). This is a whitewashing as the COCL actively discouraged the COAB from taking on certain tasks, forced certain agenda items on them, and entertained complaints about Board members made by a police officer (among other things). The COCL is relatively neutral, though, in awaiting a new proposal for COAB 2.0	As Chair of the COAB, it was our responsibility to ensure that COAB operations conformed to the Settlement Agreement. All agenda items were decided with the requirements of the Settlement Agreement in mind. Additionally, when a complaint is submitted (even by a police officer board member), we have a responsibility to respond to it the same as if it were any other board member. Finally, we disagree that we have been "relatively neutral" about awaiting a new proposal for a revised COAB ("community engagement in this process is of vital importance"... "await the City's revised proposal so that community input may resume, and we encourage other stakeholders to work collaboratively with the City to ensure this outcome").
Portland Copwatch	156	The COCL has, in the past, pointed fingers at "activists," the COAB, and others, but is vague in casting blame for why so few Bureau policies have been finalized in over 2 years. The Report says it is not always the fault of the City and the PPB, because there are "many stakeholders". Is the COCL casting blame on the Portland Police Association? We would probably agree with that. Are they blaming the community and/or the AMAC? We hope not-- if you conduct a power analysis of the various "stakeholders" you'll find the paid and elected folks bear a lot more responsibility for delays than the volunteers can possibly have caused.	Our statement that there are "many stakeholders" does not pertain solely to policy. Rather, the entire process of substantially complying with the Settlement Agreement contains a number of active partners (City, IPR, City, PPA, AMAC, community, and numerous subgroups). We are not casting blame on any one of these groups and are instead stating a reality - comprehensive change involving multiple groups can oftentimes be slow.
Portland Copwatch	165	As noted above, the Report would be improved by naming more participants, including the Professional Standards Captain, IA Lieutenant, and the staff of the COCL team. It is an interesting development that the Bureau's Compliance Coordinator (Mike Marshman) became Chief, leading the former Inspector (Mike Krantz) to move up to Compliance Coordinator	Portland Copwatch is incorrect that Mike Krantz is now the Compliance Coordinator. Steve Jones (who previously was the Inspector) is now the Compliance Coordinator.
Portland Copwatch	166	In reporting that City players "have been unable to meet some requests" for documents, the COCL does not give any examples. If there are problems fulfilling the terms of the Agreement, the public needs to know!	The statement "have been unable to meet some requests" pertains to some data systems that are detailed in other paragraphs.

Portland Copwatch	Executive Summary, Various Paragraphs Related to Policy, 170	We noted above that the COCL remarked on multiple areas where the BHUAC gave input to the Bureau and it was used. They also mentioned in several places that COAB's recommendations were "considered and incorporated as appropriate." They noted that COAB felt their input wasn't appreciated or responded to. However, they do not mention whether other input from the community was considered as part of the Directives review process, even though such engagement is explicitly called for in the Agreement	We have revised our report to indicate that input from other community members (aside from COAB) has been reviewed and incorporated into the Directives review process. We have seen firsthand how community comments (including those from Portland Copwatch) has been incorporated.
Portland Copwatch	74, 75, 77	There is a stray word ("the") at the end of a paragraph.	We have revised our report to resolve this.
Portland Copwatch	80	What happened to the PPB's warning that training surveys could be public record? Last report said that wording was "Temporarily" changed.	PPB has removed this warning from their evaluation material and therefore it is not discussed in this report.
Portland Copwatch	84	When it says "Training" officers improve, does COCL mean "trainee" officers?	We have revised our report to revise the term "training" officers and instead use the term "students".
Portland Copwatch	84	Report says equity training was 1/4 of 20 hours of time, but it is 4 hours of 20, or 1/5 of the time.	We have revised our report to reflect that the Equity training was 1/5 of the total In-Service training time.
Portland Copwatch	89, 111	Why refer to ambulance service (a generic term) as AMR (a specific company)?	We refer to AMR (a specific company) because that is the specific service that will transport those in mental health crisis.
Portland Copwatch	90	The Settlement Agreement's old acronyms are still used in the summary.	We have revised our report to update the terms in Par. 90.
Portland Copwatch	92, 93	"See outcomes report" does not have an associated date.	We have revised our report to include updated information about our Outcomes Assessment, which was released in May of 2017.
Portland Copwatch	98	Report states that the "Current percent of calls" may be underreported. Should it be number, or percentage, or something else?	We have revised our report to indicate that the "number of calls" may be underreported.
Portland Copwatch	116, 117	Report uses the word "tenants" instead of tenets again.	We have revised our report to address this error.
Portland Copwatch	122	If there was only one OIS in the 6 month period, what does it mean that "nearly all" the IA investigations happened within a couple [of?] days" of the criminal investigations?	There are non-OIS administrative investigations that run concurrent with criminal investigations. If the alleged policy violation also potentially violates a criminal statute, they both occur. Thus, the statement does not apply solely to OIS events.

Portland Copwatch	TA Statement Appendix	The TA Statements at page 115 says "sick leave - number of time." Does this mean the amount of time or number of times sick leave is invoked? Maybe add a footnote to clarify.	The statement could relate to both and is just one consideration that PPB may take. Both may indicate potential issues. For instance, the overall number of sick days used may be informative (e.g. someone taking a total of 20 days of sick time), though it may be explained by a single, prolonged illness. Conversely, an officer who invokes one day of sick leave on 20 separate occasions may be engaging in potentially problematic behavior.
League of Women Voters	87	The 2016 Q3/4 report should mention that email notices of upcoming meetings with agendas are now being sent to interested parties. Members of the public requested this time and again and appreciate that it finally has been accomplished.	We had mentioned TAC's use of an email list in our previous report. We continue to support TAC's use of an email list.
League of Women Voters	94	The League agrees with those calling for BHUAC meetings to be open to the public, particularly when policy discussions occur. The COCL should recommend that the committee explore further options such as having every other meeting open to community attendance and reserving higher-level policy discussions for those meetings. Policies ultimately adopted by the city will have an impact on community members. They deserve to attend sessions where these issues are being discussed and should be given the opportunity to comment.	While we maintain that not all BHUAC meetings need be open to the public, we have revised our report to recommend BHUAC conduct some of their meetings publicly where confidential information is not discussed.

League of Women Voters	121	As long-time observers of the city's police oversight system we disagree with your recommendation that, absent a consensus, the IA, IPR, and City Council should create a plan for reform. The recent Stakeholder Committee consultant report notes that there is consensus among community members about what they want in an oversight system. Transparency and public participation are essential attributes. Suggesting that elected officials and city staff develop a reform plan without having the public involved runs contrary to what the community wants. As Joann Hardesty stated at the AMAC forum, the people who live in Portland need to be at the table.	Our report does not dismiss public involvement in changes in the accountability process ("A finalized plan needs to be crafted and implemented as soon as possible utilizing input from the community"). However, in the final analysis, these stakeholders need to finalize a plan for police oversight.
League of Women Voters	134	COCL attendance at CRC meetings from time to time would provide a greater understanding of this important body. If the appeals backlog increases again, COCL may want to consider Portland Copwatch's suggestion that Police Review Board members be used to supplement CRC appeal hearing panels. They receive the same training and are an underutilized resource. This option would need to be a voluntary opportunity for PRB members.	League of Women Voters is incorrect that members of COCL have not attended CRC meetings. Members of COCL have attended CRC meetings and will continue to attend meetings in the future. Should an appeals backlog occur in the future, we believe that PRB members would be a good resource and would support that as a possible means of addressing the backlog.
League of Women Voters	141-145	As an organization that promotes active and involved participation in government, the community engagement provisions in the Settlement Agreement are of extreme importance. We are quite concerned that, as far as we can tell, the public is not involved nor is it being kept informed about the city's efforts to meet this requirement. The community should be participating in formulating the new approach.	We have revised our report to recommend the Parties should provide updates to the community as to the formulation of the new approach to community engagement.

League of Women Voters	150	The PPB should broaden its outreach and notice of the precinct meetings at which it presents the annual report. League members are on a number of notification lists: CRC, IPR, TAC, COAB. We received no notice of the meetings and would have appreciated the opportunity to attend. We agree that the report should be presented before City Council in a timely way.	We have revised our report to include a recommendation for PPB to review their notification process for the presentations on the annual reports and determine how they might be enhanced.
League of Women Voters	154-155	Keeping the meetings of the new community board open to public attendance is a high priority for the League.	We agree with League of Women Voters on this point and have revised our report to include a recommendation that the revised community board be open to the public.
Sisters of the Road	Executive Summary, Overall Report	This assessment must be more transparent and accessible to the public. This is more than posting it online, this is outreach! The executive summary was helpful in beginning to digesting the material, please continue to hone in more on how this assessment can be accessible to more community members. One way to do this could be to hold focus groups within communities most affected by PPB's use of force as well as time to explain and answer any remaining questions. Those who are not involved in AMAC, the only entity honoring the value of our voices, must have a way to get involved and share their peace. From (truly) sharing this assessment, can come opportunities for more community-led and meaningful trainings and education for PPB to tap on.	Prior to this report, the COAB served as the primary way for community members to be appraised of our report and receive clarification if necessary. We await a revised community engagement plan from the Parties in order to continue such meetings. In the interim, we thank AMAC for affording us the opportunity to present our reports. Furthermore, when we release our reports, we disseminate them through a substantial email list and post them online. Additionally, prior reports from us have received media coverage.
Sisters of the Road	COAB Sections of Report	The police do not represent the public safety needs of the hundreds and hundreds of people that eat at Sisters. Hence, COAB was created to inform this entire process, so to dismiss or not incorporate those recommendations would be a dismissal of the time and emotional labor of the community-- that continues the erosion of mistrust. The assessment of changes, without community input, put an out of touch system further out of touch with the people the system is charged with protecting-- making this assessment nullified in the eyes of community members. The downfall of the COAB and no plan for reinstatement speaks clearly to the lack of value put into the need for Community Oversight at all stages of this Agreement.	The COAB's recommendations have been incorporated into policy, focus groups, surveys, and our reports. We agree with Sisters of the Road that community review of system changes is of vital importance and continue to press the Parties to implement a revised community engagement plan.

Sisters of the Road	Overall Report, Community Input	We believe that COCL should focus their assessment on how community input is engaged with and how it can further substantiate trends that data collection may offer. We really appreciate COCL pushing PPB in “owning” the changes they are making in the spirit of the agreement, as well as pushing for more of a description within Force Audits, rather than making sure the boxes are checked and submitted. In the spirit of the Agreement, we urge COCL to push PPB and City to own the need for community input throughout this process. Please continue to hone in on the power differential (using an equity lens) between community & PPB when assessing “progress” within the agreement.	We have revised our report to include a recommendation for the City to have a sense of "ownership" in regards to the COAB and community input.
AMAC Panel Discussion (4/25/17)	Various Paragraphs Related to Force Policies	There’s a comment you will see in pretty much every section. “We make no comment here on officer and supervisor adherence to the policy.” That bothers me; what’s the point?	We have revised our report to clarify our position on adherence to the policy. Measurement of officer/supervisor adherence to policies are best captured within the Force Audit (Pars. 74, 75, and 77). We did not mean to insinuate that we were ignoring adherence when evaluating PPB's requirement to revise policies, but rather that evaluation was best performed elsewhere in the report.
AMAC Panel Discussion (4/25/17)	74, 75, 77	Force audit, adherence to the policy: The role of supervisors. Appears to be findings that there are some things not fully documented. After action reports are another area that are required for force events, and once again we look at, is this something supervisors are doing? Are after force reports investigated thoroughly?	The Force Audit findings indicate that there are some documentation issues that can be improved. However, PPB's Force Audit is fairly new and we have seen marked improvement since it's implementation. The Force Audit covers approximately 200 points of measurement. Oftentimes, officers and supervisors may fail to include one or two points of measurement. PPB has a process in place to rectify such failures. On the whole, documentation in FDCR's and After Action Reports is regularly occurring.

<p>AMAC Panel Discussion (4/25/17)</p>	<p>SCT</p>	<p>Wanted to ask about SCT: Rather than evaluate why there's only a 20% success rate, we should be evaluating why the program even exists. Stuck into the settlement agreement by a mayor that it was one of his pet projects. There has never been a community dialogue about why it exists. Why are we investing dollars in that program?</p>	<p>We cannot speak to how the Settlement Agreement was crafted. The SCT program is part of the Agreement and we are tasked with assessing whether PPB is complying with the paragraphs surrounding it. As we have said elsewhere, we urge community members to look beyond the 20% "success rate" of SCT and examine the population that SCT works with as well as the program's impact on future offending.</p>
<p>AMAC Panel Discussion (4/25/17)</p>	<p>Accountability Section of Report</p>	<p>From my perspective the SA has been used as a weapon to limit public engagement and involvement. Timing is one issue because we are volunteers, and the byzantine concept as well. The city has marshalled all of these state laws and union contract issues that if we're trying to simplify the accountability process the only moving piece is the community. It's clear the city is flailing right now and they're trying to get into compliance; I'm wondering, having seen the various ideas they've put out, if you could give some feedback in the report in response to the ideas they've raised?</p>	<p>We have revised our report to indicate our position on some of the ideas that have been raised for changes to the accountability system. In prior reports, we have given our position and in this report, will summarize our views.</p>
<p>AMAC Panel Discussion (4/25/17)</p>	<p>COAB Section of Report</p>	<p>The question is who is on the revised version of COAB, what does City and DOJ do to remove barriers to ensure full participation. If there's a SA there needs to be a community oversight component. I've seen tasks forces come and go, studies come and go, equity plans come and go, and at the end of the day the outcomes have no shifted. We have to have community oversight.</p>	<p>We agree that the participation of the community is vital in the Settlement Agreement process. We will continue to participate in community forums that appraise the public about progress being made while we await the release of a community engagement proposal from the Parties.</p> <p>** (Please note that many comments at the panel discussion related to COAB and community engagement. Our response here addresses all such comments)</p>
<p>AMAC Panel Discussion (4/25/17)</p>	<p>BHUAC</p>	<p>BHUAC should be open to the public.</p>	<p>While we maintain that not all BHUAC meetings need be open to the public, we have revised our report to recommend BHUAC conduct some of their meetings publicly where confidential information is not discussed.</p>

Dept. of Justice	Executive Summary	We suggest modifying this phrase to make clear that the City must continue to ensure compliance with paragraph 74's requirements for complete reports: "Phase II of the Force Audit with PPB...involves moving some of PPB's auditing attention away from the question of whether force reports are being completed fully and accurately to the question of whether force decisions were justified and within policy and law."	We have revised our report to clarify that PPB will continue with Phase I of the Force Audit (ensuring complete and accurate reporting).
Dept. of Justice	Executive Summary	COCL's summary of training and accountability should include straight forward, conclusory assessments that indicate: (a) whether PPB satisfactorily determined that evidence did or did not exist to open an administrative investigation after the finding of liability, as required by SA Para 133; and (b) whether corrective action plans for identified training needs are necessary to implement the SA.	We have revised our report to include a straight forward, conclusory assessment of the requirements of Par. 133.
Dept. of Justice	Executive Summary	The summary fails to mention, but should, a significant take-home point; PPB's EIS does not assess conduct at the supervisor and team levels. SA Par. 117	We have revised our Executive Summary to include the fact that EIS does not assess conduct at the supervisor and team level.
Dept. of Justice	Executive Summary	We concur with the COCL's concerns and also continue to await the City's revised proposal [for a revised COAB]. We also recommend that the COCL note that without a structure in place, the COCL is unable to fulfill the full requirements for public comment on the COCL's report pursuant to paragraph 163, including holding the required town hall meeting with the Community Oversight Advisory Board ("COAB") in order to receive public comment, prior to finalizing your report.	We have revised our report to address the concerns with receiving public feedback on our report. However, we thank AMAC for holding a panel discussion which we believe fulfills the intent of Par. 163, if not the letter of the paragraph.
Dept. of Justice	Various Paragraphs Related to Force Policies	While the Force Audit will provide a reflection of the effectiveness of training provided, implementation of a policy first requires appropriate training, and subsequent verification of adherence to the policy.	We have revised our report to clarify our position on adherence to the policy. Measurement of officer/supervisor adherence to policies are best captured within the Force Audit (Pars. 74, 75, and 77).
Dept. of Justice	Various Paragraphs Related to Force Policies	While the force directive may sufficiently meet the requirements of Pars. 66 and 67, it does not follow that the specific requirements concerning officers' use of ECWs "have been satisfactorily met." Similar conclusions for paragraphs 69, 70, and 73 are also overbroad. The requirements of these paragraphs will be met after PPB trains on the policy, implements the policy, and adherence is verified.	We believe that the requirement of PPB to train on policies is better addressed in our assessment of Par. 84 ("All training that PPB provides shall conform to PPB's current policies at the time of training"). Similarly, we believe that review of adherence to force policies is captured in the Force Audit (audit is designed to "ensure that"/"determine" adherence is occurring). As it relates to the requirement of PPB to maintain, add to, or revise its policies, we believe that the proposed 1010.00 policy complies with such requirements.

Dept. of Justice	70	We recommend that the COCL remove the label "de minimus" for Category IV force, and not include any label on any category.	We have revised our report to identify categories as Category I, Category II, etc.
Dept. of Justice	71	Please define the term "span of control" (as contrasted with the raw numbers of sergeants).	We have revised our report to clarify the term "span of control".
Dept. of Justice	74, 75, 77	The draft report concludes that auditing all force events "is no longer necessary to maintain the system and drains resources from other important auditing tasks." The COCL has proposed a different methodology for "stratifying cases across force categories as well as by Precinct and shift." Please provide sufficient information for the parties and the reader to understand what the methodology is and how it will help PPB ensure that it meets the requirements of paragraphs 74, 75, and 77.	We have revised our report to clarify the stratification methodology we proposed to PPB.
Dept. of Justice	79	The assessment is unclear. We encourage the COCL to identify what changes to the PPB training assessment tool are still pending and what changes are still necessary.	Specific changes that are pending and still necessary are identified in our report. For instance, we highlight that the 2016 Needs Assessment utilizes antiquated evaluation tools which PPB has already changed. We expect the 2017 Needs Assessment will utilize the enhanced evaluation tools. Additionally, we identify incorporating subsections a-k of Par. 79 into the five core law enforcement disciplines as a specific actionable step that we believe is still necessary. Similarly, we recommend PPB provide a preliminary plan of action for each identified training need, a specific step that has not yet occurred.
Dept. of Justice	80	The assessment presents the following questions: To whom has the training division transferred competency-based evaluations? Why was such transfer made? And is the transfer compliant with the SA? It does not seem efficient for the training division to transfer this task.	We have revised our report to clarify this point. Responsibility for evaluation did not transfer outside of the training division but rather to a larger number of people within the training division.

Dept. of Justice	80	The assessment promotes pre-testing at the academy. This is not required by the SA, and should not be included in the report. Resources for such pretesting are best reserved until after the requirements of the SA are met.	The Settlement Agreement does not specify methodology for measuring and documenting "student learning as a result of the training." Since learning is a process, it benefits PPB to understand where officers are at the beginning of the process (as opposed to competence/proficiency which is a condition that can be measured at a single point in time). We do not believe pre-tests are necessary for each training class and recommended PPB consider the course objectives when determining whether pre-tests would be beneficial (Appendix A).
Dept. of Justice	86	The compliance assessment discussion for paragraph 86 states that the force inspector presented force trends to the Training Advisory Committee. The SA provision also requires analysis. We have not seen any substantive analysis-and have asked for this- from the Inspector. COCL should make clear that paragraph 86 requires an analysis that includes identification and investigation of the causes of force trends.	Our report indicates that the Inspector's presentations to TAC does not include "trend review and discussion." We have revised our report to indicate that discussion includes substantive analysis, as required by Par. 86.
Dept. of Justice	92, 93	COCL's analysis of compliance with paragraphs 92 and 93 is limited to data tracking of: (a) the BHRT working group, which discusses BHRT clients; (b) the SCT, which discusses SCT clients; and (c) concerns about data from the mental health mask. However, paragraphs 92 and 93 require a broader data sharing arrangement and evidence-based attempts at improving and reducing PPB interactions with persons utilizing mental health services. PPB has attempted to collect data by the Mental Health Mask, and it is admirably working to create a sustainable operating system to capture such data, but the goal of this provision is to address any concerning trends. We encourage COCL to provide technical assistance to PPB on how to achieve the broader requirements of this provision.	The ability of PPB to engage in the "broader data sharing arrangement" envisioned by Pars. 92 and 93 would require extensive resources and involvement of groups not subject to the Settlement Agreement. Data sharing initiatives are emerging in other places and we have begun discussing these with with PPB. We will assist PPB in exploring options for the Portland Community.

Dept. of Justice	92, 93	<p>COCL's analysis of compliance with paragraphs 92 and 93 is limited to data tracking of: (a) the BHRT working group, which discusses BHRT clients; (b) the SCT, which discusses SCT clients; and (c) concerns about data from the mental health mask.</p> <p>However, paragraphs 92 and 93 require a broader data sharing arrangement and evidence-based attempts at improving and reducing PPB interactions with persons utilizing mental health services. PPB has attempted to collect data by the Mental Health Mask, and it is admirably working to create a sustainable operating system to capture such data, but the goal of this provision is to address any concerning trends. We encourage COCL to provide technical assistance to PPB on how to achieve the broader requirements of this provision.</p>	<p>(CONTINUED FROM ABOVE) However, these are cross system and agency initiatives that require significant cooperation, resources and time to develop. PPB has invited other parties to the table with the BHCT (containing County, State, Federal, and Community Mental Health entities) which discusses BHRT/SCT clients, and allows for others clients to be addressed, and attempts to address mental health trends in a global way. Additionally, data from the MHM may assist BHRT and SCT in identifying at risk individuals and developing interventions. PPB has begun utilizing the MHM in this manner, though this was not occurring during the reporting timeframe. However, cross system electronic data integration is not currently being implemented, and presents significantly greater legal and practical challenges. We will update the reader in our next report about progress in this area.</p>
Dept. of Justice	96	<p>COCL should address compliance with BHUAC status reports. COCL should analyze PPB's process and effectiveness in responding to BHUAC's recommendations, and provide specific examples.</p>	<p>We have revised our report to include the process of responding to BHUAC's recommendations (giving specific examples) and our impression of the effectiveness of the process.</p>
Dept. of Justice	97	<p>Given PPB's prior compliance with paragraph 97, we recommend the rating for this provision be changed to Substantial Compliance - Ongoing Obligation. PPB not holding an Academy in the 3rd or 4th quarter of 2016 does not <i>per se</i> indicate PPB has not provided the training to all of its officers. Instead, COCL should continue to encourage PPB to implement a learning management system that could display the status of all officers' training.</p>	<p>We have revised our report to change the compliance rating to Substantial Compliance - Ongoing Obligation based on our review of the Advanced Academy training materia and PPB's prior training of officers.</p>
Dept. of Justice	98	<p>COCL's encouragement "to continue to train officers on standardizing the process for completing MHM's" is confusing. First, officers should be trained on a standard process, not on "standardizing the process," and it should be noted here as it is in the assessment of paragraphs 92, 93, and 105, that the current version of the mask is undergoing revision.</p>	<p>We have revised our report to indicate that officers should be trained on a standard process and not on "standardizing the process." Furthermore, we have included that the current version of the MHM is under revision.</p>

Dept. of Justice	105	COCL's assessment of paragraph 105 discusses the demise of the Mental Health Mask and the alternative methods by which PPB is collecting data and gaps in those data. COCL's assessment does not discuss the utilization of the track and report requirement.	We have revised our report to better address the requirement of PPB to "track and report data on public safety system interactions with individuals with perceived or actual mental illness or who are in crisis."
Dept. of Justice	110	We encourage COCL to more thoroughly assess the data and the outcomes concerning the assessment of compliance	We have revised our report to expand on how the data might be used to connect service recipients with service providers.
Dept. of Justice	113	We have a significant concern with COCL's assessment here because it addresses neither the substance of the policies and procedures, nor the requirement to "add[] new or revised policies and protocols to assign calls to the PPB [BHU] or directly to NGOs or community-based mental health professionals[.]" We encourage COCL to reassess the substantial compliance rating for paragraph 113 and provide a more fulsome analysis of these key components. Our team has repeatedly heard from officers, on ride-alongs and in the ECIT training, that they are frustrated by repeated contacts with known individuals with SPMI who they take to the hospital only to be released, over and over without any answers from PPB about what they should do. The SA intends to assist in filling this gap by involving the entirety of the mental health system in responding to crisis situations.	We have revised our report to better describe how the policies and protocols put forth by BOEC conforms to the requirements of Par. 113.
Dept. of Justice	115	The extent of the evaluation of Crisis Triage is of significant concern. As the COCL has identified in recent technical assistance, this program has many hurdles, including training, to overcome before being operational. We recommend that the COCL's assessment of paragraph 115 provide more thorough analysis and guidance to the City on how to overcome these hurdles.	A significant barrier to satisfying Par. 115 is providing adequate training (addressed in Par. 114 and in our TA Statement to BOEC). Upon delivery of adequate training, we will review whether the system of Crisis Triage is "fully operational." This conforms to the model of Policy --> Training --> Operational Impact. We have revised our report to better explain this model of review and provide an overview of how we will be analyzing whether the system of Crisis Triage is "fully operational."
Dept. of Justice	117	The compliance assessment fails to address paragraph 117, which requires EIS analysis at the supervisor and team levels. PPB is not doing this. See DOJ's October 2016 compliance assessment.	This concept is included in our assessment, though we cite Par. 116 ("PPB agrees to enhance EIS to more effectively identify at-risk employees, supervisors and teams...'). This has yet to happen in a systematic manner."). We have revised our report to indicate that Par. 117 is also implicated in our assessment.

Dept. of Justice	120	The compliance assessment says there will be three EIS administrators. We believe that PPB has transferred out one of the existing administrators, keeping the level at two.	We have revised our report to indicate that, within the timeframe of the report, there were a total of three EIS Administrators, though this was only a temporary arrangement and that one Administrator would be transferred out shortly.
Dept. of Justice	122	Given the significant interest surrounding administrative investigations for officer-involved shootings (e.g., the 48-hour rule), COCL's assessment here should address whether there was any delay in conducting administrative investigations of involved officers during the pendency of the DA's criminal investigation. And, if so, what was the length of the delay, and information provided in support of the delay?	The compelled interview of OIS involved officers (allowing for concurrent investigations) is related to the <i>Garrity</i> discussions (Par. 124), though no formal process had been agreed upon in the timeframe of this report. As a <i>Garrity</i> proposal was agreed upon in the first and second quarter of 2017, we will assess how this impacts PPB's ability to perform concurrent investigations for officer involved shootings in our next report.
Dept. of Justice	123	The compliance assessment for paragraph 123 explains problems with PPB's reasons for failing to meet the 180-day deadline for administrative investigations. Should the PPB "action plan" required by this paragraph include moving findings to the investigative agency, not the chain of command? We have long advocated this, and the City Council has been unable to act on this, but PPB could act to govern its own administrative investigations in a manner that meets the timelines of the SA and the "action plan" should spell out how it will do so.	Should the author of the "action plan" determine that moving findings to the investigative entity would improve adherence to the 180-day timeline, we would certainly support the position and believe it would be an "actionable step." We agree with DOJ in advocating for this. However, our position is to help PPB set up internal systems of review (e.g. using actionable steps) rather than imposing on PPB what the exact actionable steps should be.
Dept. of Justice	124	Paragraph 124 requires the City to provide DOJ its revised protocol. We recognize the effort the City has made in discussing with DOJ and the COCL a variety of legal and jurisdictional concerns regarding revision of the protocol. We expect a revised protocol before the next reporting cycle.	Upon receipt of a revised proposal within the reporting timeframe, we will update our assessment of Par. 124. We too recognize the effort of PPB and the City within the 3rd and 4th Quarter of 2016 and had raised their compliance level from our previous report (wherein we had ascribed "Non-Compliance but Initial Steps Taken."

Dept. of Justice	128	Paragraph 128 requires meaningful investigations by IPR. During the third and fourth quarter of 2016, which this report covers, IPR continued to face barriers in this regard. The COCL should provide a more thorough analysis of how IPR has addressed such barriers.	We believe the largest barriers, at this point, to IPR conducting meaningful investigations are the unresolved issues related to the overhaul of the accountability system (see our assessment of Par. 121) and the need for IPR investigators to receive substantive training. We have revised our report to further discuss our position on IPR requiring better training, though the barriers associated with the overhaul of the accountability system have not been addressed and will alter IPR's ability to satisfy Par. 128.
Dept. of Justice	129	In the fourth paragraph of the paragraph 129 compliance assessment, change "read" to "reach."	We have revised our report to address this error.
Dept. of Justice	133	As noted in our comments to the Executive Summary, we encourage COCL to clearly state whether PPB is documenting their steps taken in response to a liability finding, and whether those steps meet the requirements of the SA, including paragraph 172, i.e., holding all officers accountable	We have revised our report to include a straight forward, conclusory assessment of the requirements of Par. 133.
Dept. of Justice	Community Engagement Section	While we recognize that this report is tied to events that occurred more than six months ago, we must acknowledge the efforts taken by the City after this reporting cycle to engage the parties in a series of facilitated discussions to craft a new proposal for Section IX, including a revised community board.	Upon receipt of a revised proposal within the reporting timeframe, we will update our assessment of the community engagement section. As the facilitated discussions between the Parties have been privileged, our assessment is based on the information available to us at the time of the report. We look forward to a revised proposal for Section IX to include in our next Compliance Assessment.

Dept. of Justice	141-145	COCL should provide additional reasoning for the rating of "partial compliance" in its assessment of paragraphs 141-145, pertaining to the COAB. In our Second Annual Assessment to the Court, which included the period through August 29, 2016, the United States determined that the City was in "noncompliance" with these provisions. In that time period, board member vacancies remained unfilled, and no operational plan of action for community input and oversight existed after the 60-day hiatus expired. Furthermore, the COCL did not fill the local liaison position, which was sorely needed. We acknowledge that the City provided technical and logistical support to the COAB during periods when the board was active, including after the 60-day hiatus. At that time, the COAB resumed meeting without a quorum, and with the COCL/COAB dysfunction.	We have revised our report to include additional reasoning for the rating of Partial Compliance for Pars. 141-145.
Dept. of Justice	163	Paragraph 163 requires that COCL hold open town hall meetings to present the draft compliance report to the COAB, and receive public comments on the assessment of compliance and recommendations. This paragraph further acknowledges that the purpose is to facilitate the sharing of information on the SA and its implementation with the broad community body. While the COAB is not currently functioning, COCL should identify key opportunities to incorporate community input into its reports.	Our report does not include an assessment of Par. 163 as we do not feel it appropriate to assess ourselves. However, we have accepted invitations from AMAC to present on our reports and solicit community feedback. Additionally, we have maintained the email notification list from COAB and the COCL-COAB website in order to solicit feedback. Where opportunity for community input is possible, we will continue to take advantage.
Dept. of Justice	172	In COCL's assessment of paragraph 172, which requires uniform enforcement of policies, we suggest that COCL specifically discuss the variety of implications of delayed administrative investigations, as well as the importance of creating a culture that does not discourage filing complaints.	We have revised our report to address the concerns identified by DOJ.