



IPR Quarterly

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The Independent Police Review and Citizen Review Committee

Use of Force Report Released

by Director Leslie Stevens

IPR receives an average of 101 complaints each year involving use of force by Portland Police officers. The use of force is one of most awesome powers granted to police officers and one that deserves serious attention. Through its contract with a national expert, IPR is responsible for the review of officer involved shootings incidents. The logical next step was a review of the use of physical force by officers.

Beginning last fall I was the chairperson of a collaborative Use of Force Task Force working on the first systematic review of use of force data since the Portland Police Bureau began collecting the data in 2004. The result of our work was recently issued in our report: *Use of Force by the Portland Police Bureau - Analysis and Recommendations*.



In addition to Assistant Director Pete Sandrock and me, Task Force members include Portland Police Assistant Chiefs Lynnae Berg and Brian Martinek, members of the Bureau's Training and Professional Standards Divisions, and two citizens from the Citizen Review Committee. A consultant assisted with analysis and review of comparative data and policies of other agencies.

The data showed that Portland Police officers use force in less than 1% of all calls for service, and in less than 5% of all arrests. However, data also showed a strong correlation between citizen complaints and use of force. Police and civilian Task Force members unanimously agreed upon 16 recommendations for changes in data collection and analysis, policies, training, and supervision.

Among these we recommended annual analysis of the force data, debriefing of all force complaints, and review of officers who use force at a higher rate than their peers in making arrests.

The Chief has indicated her willingness to accept all of the recommendations. Bureau managers are to be commended for their commitment to implement significant changes to raise the standards for their use of force policy. Not many police departments release use of force data to the public, and not many voluntarily and publicly look for ways to improve their force policies and practices. I hope everyone will support the Bureau's efforts.

I look forward to working with the Task Force to follow up on Bureau actions taken and preparing periodic follow-up reports for the public. The report is available on the IPR website at: www.portlandonline.com/auditor.

CRC Hearing in
SW Portland

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Who We Are

IPR receives complaints about Portland Police officers. IPR may investigate, mediate or dismiss complaints, or forward them to the Portland Police for further review, investigation or resolution. IPR tracks and analyzes complaints and conducts policy reviews.

The nine citizen volunteers of the Citizen Review Committee are appointed by Portland City Council to hear appeals of Internal Affairs investigative findings, help IPR develop policy recommendations, review how IPR handles complaints, and hear public concerns.

Together, IPR and the CRC work to improve police accountability to the public and help solve identified problems.

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Citizen Review Committee News

Message from the CRC Recorder

By *Lewellyn Robison*

In addition to our on-going work with the CRC hearing appeals, reviewing complaint handling, advising on policy, and gathering community concerns, individual CRC members participate in many other activities related to improving policing.

Some CRC members also represent the public on Portland Police Bureau Boards. The Use of Force and Performance Review Board review cases for possible discipline, policy, training or other management issues. The Oral Boards interview candidates for promotions and new officer hires. The Police Budget Advisory Committee helps produce the Bureau's annual budget proposal for how to best use scarce police resources.

CRC members also participate on the Mayor's Racial Profiling Task Force, the Auditor's Use of Force Task Force, the American Civil Liberties Union (ACLU), the Police Employee Identification System Advisory Board, and a variety of other organizations.

Street Roots Editor Speaks to CRC

Israel Bayer spoke to the CRC meeting in March about Street Roots, an award winning newspaper he edits. It is written by and about Portland's homeless community, and provides a source of income for the vendors who sell it.

In a discussion with CRC members after his presentation, Bayer talked about issues regarding interactions between police and members of the homeless community, and concerns of some of the people he works with.

Potential outreach strategies to the homeless community were also discussed.

CRC Hears About Curfew Sweeps

Multnomah County Assistant District Attorney Jim Hayden spoke to the CRC in April about the curfew enforcement sweep during Spring Break 2006.

Hayden (the Neighborhood Prosecutor for Northeast Portland) collaborated with community members, police and juvenile courts to create a pilot process for enforcement of the state Parental Responsibility law. The law prohibits parents from allowing their children to violate the curfew law.

The long term goal is to create a permanent process for enforcing the statute, which would include referrals for assistance for troubled families, and to expand the enforcement beyond curfew to truancy.

Appeals to the CRC

Citizens and officers dissatisfied with the findings of complaint investigations may appeal to IPR and the CRC. In the first quarter of 2007, 13 cases were eligible for appeal, and two requests for appeal were filed.

CRC January Retreat

On January 13, 2007, the Citizen Review Committee held an all-day retreat to improve skills for working together, receive up-dates on the Oregon Open Meeting Law and record-keeping requirements, and to establish goals for the coming year.

With input from IPR and the public, the CRC identified these priorities for the coming year:

- Complete the work of the Bias-Based Policing Workgroup
- Complete the protocol review
- Establish community outreach workgroup
- Establish workgroup to consider case handling audits.

The CRC also revised its policy list as follows:

1. Police Bureau training Division Curriculum
2. Training for CRC members
3. PPB Discipline
4. Taser policy
5. Portland Police recruiting and retention
6. Protest policies
7. Policies on release of people in custody.

CRC Workgroups

Appeal Process Workgroup presented an Audit Worksheet to guide CRC members in reviewing investigative files for appeals. The CRC approved the new Appeals protocol (PSF-5.03) and adopted the Guide for Appeals Process Advisors (APAs), to assist parties at appeal hearings. This workgroup is now concluded.

Tow Policy Workgroup is preparing their final report and recommendations to the Police Bureau.

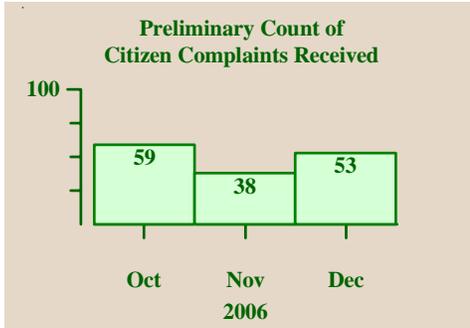
Protocol Review Workgroup finished their work on the appeal and prehearing protocols. They are working on a protocol specifying performance expectations for CRC members. The CRC approved the workgroup recommendations regarding election of CRC officers.

Bias-based Policing Workgroup is finalizing a proposed work plan for reviewing complaints of racial and other forms of bias. The CRC approved their mission statement in March.

Oversight Report

Report for Fourth Quarter 2006

The following charts show the number of complaints received, allegations in each complaint category, and cases closed, from October to December 2006. (Complete figures are not yet available for the quarter just ended.)



IPR records and tracks all citizen-initiated complaints. During the fourth quarter of 2006, citizens filed 150 new complaints and staff closed 177 cases. October was the busiest month for both intake and closures. In the fourth quarter, 109 commendations were received.



Most complaints contain multiple allegations, each classified and tracked separately, so there are more allegations than cases. Most of the new cases involved conduct, procedure, or courtesy allegations.

Conduct complaints involve “behavior bringing discredit” to the police or the City. This category includes conformance with laws, professionalism, and truthfulness.

Procedure complaints allege administrative or procedural requirements were not met, such as evidence handling, identification, and reporting requirements.

Courtesy complaints allege rudeness, disrespect, or offensive language or behavior (not including disparate treatment issues.)

Fourth Quarter Case Descriptions

IPR randomly selects one citizen complaint and one commendation from each month of the quarter to provide examples of cases received.

October

* A man said he was issued an exclusion and wanted to “press charges for libel” based on what the officer wrote in his report. A preliminary investigation showed it was a private security agency that employed the officer.

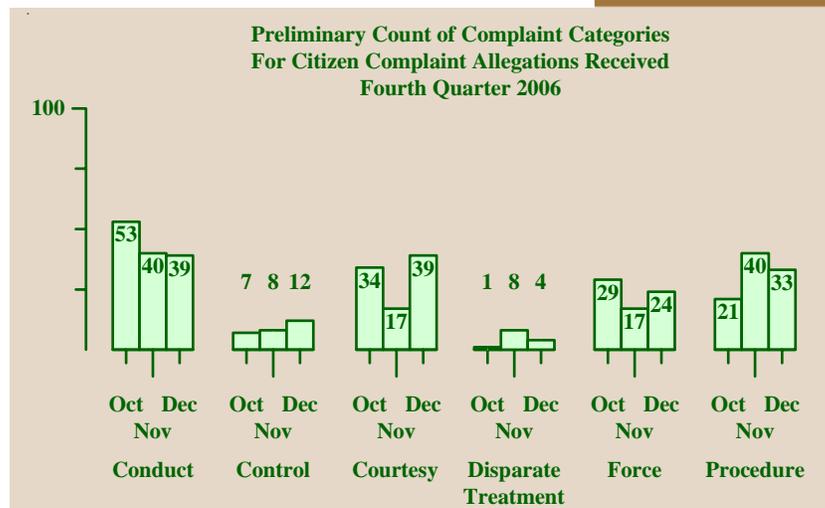
* An Assistant US Attorney praised a training provided by a Portland detective on fraud in financial institutions, for investigators, auditors, and prosecutors from institutions across the state. He wrote the training was, “very well received and very much appreciated. ... one of the best conferences they had ever attended.”

November

* A woman witnessed an arrest and believed officers used unnecessary force getting a handcuffed, actively resisting man into a patrol car. She found this “very disappointing and even frightening” and hoped they would receive “proper training” in restraint techniques. A sergeant explained to the citizen that the techniques described were consistent with policy and training. The sergeant also debriefed the incident with the officers. The citizen told the sergeant she was satisfied with the resolution of her complaints.

* A missing “medically fragile” boy was seen at a MAX train stop, but was gone when responding officers arrived. Instead of just clearing the call, the officers continued to search for the boy, and found him after following bicycle tracks through a nearby park to a campsite hidden beyond it.

(continued on page 4)



Case Descriptions (continued from page 3)
December

* A woman requested a police escort to retrieve items from her home. Responding officers took her into custody on a mental health hold. She said officers used excessive force, "trashed her home," improperly allowed her relatives in, and stole valuables. The woman said she had drugs in her system and "fought with them a lot." She said her neighbor told her police were trashing her house for 45 minutes, and she would have her neighbor call. The case was dismissed when preliminary investigation failed to find the neighbor, and IPR found no evidence to support her claims.

* A cab driver told police he dropped off a suicidal man on the Interstate Bridge. The man was instead found with US Coast Guard help on the Fremont Bridge, passed out on a ledge below the upper deck, hundreds of feet above the river. Using Fire Bureau climbing gear, two officers climbed down, got the man into a safety harness, and with police and fire personnel help, to safety.

Fourth Quarter Mediations

The IPR Mediation Program is an alternative to the disciplinary process that permits citizens and officers to meet and, with professional mediators, and resolve their issues together. The IPR Mediation Program received nine new cases and mediated four in the fourth quarter of 2006.

Fourth Quarter Investigation Findings

The following summaries are all full investigations closed in the fourth quarter. Possible findings:

- Insufficient Evidence (there was not enough evidence to prove or disprove)
- Exonerated (actions were within policy)
- Unfounded (available evidence does not support the complaint)
- Sustained (officer violated policy)

* A man said he was treated improperly and cited for jay walking because the officers thought he was laughing at them (unfounded). The man accused also accused another officer of improperly handcuffing him (exonerated). The Bureau sustained an Internal Affairs added allegation that handcuffing was not documented.

* A man alleged he was wrongly detained by an officer, called a "punk ass bitch" (both sustained) called a "nigger," and threatened with bodily harm (both insufficient evidence).

* A woman called police after she said a man hurt her cat by swinging it against a wall by the tail. The officer said the cat looked okay to him and would not write a report. The cat later died from its injuries (exonerated: the officer properly referred her to the agency responsible for

investigating cruelty to animals complaints, but he was debriefed on ways to improve his service).

* A man said an officer was rude and aggressive to a young man during a traffic stop (insufficient evidence: the officer was also debriefed on how to better address the concerns raised in the complaint), used profanity (sustained), and allowed a 16 year old to walk home after curfew (unfounded: the investigation revealed that 16 year old left the scene before the midnight curfew).

* A man claimed an officers "beat him" by twisting his arm and pushing him to the ground; took his wallet (both exonerated); and caused him injury by failing to seat belt him (unfounded).

* A man alleged that officers used excessive force in arresting him and detained him too long (both exonerated), an officer used profanity, denied him use of a toilet, and took him to jail instead of releasing him when he threatened to complain (all unfounded).

* A woman said officers gave no valid reason for a traffic stop (unfounded), her boyfriend was slammed against the car, and she was forced to sit on the ground (both exonerated).

* An officer was accused of disparate treatment in responding to an assault, asking the only African American youth present if he was involved, despite being told he was not, and asking only this youth to remove his hands from pockets (exonerated, but debriefed on how his actions were perceived, and the value of taking time to explain police actions to citizens after an incident).

* A man alleged officers used excessive force against him (exonerated after evidence including jail video disproved the allegations and the investigation revealed that the man was very drunk and violently resisted).

* A man alleged officers illegally entered and searched his residence without a warrant or consent and would not tell him why they were there (unfounded regarding Portland Police officers: Portland Police were assisting a multi-agency East Metro Gang Enforcement Team [EMGET], under Gresham Police command).

* A woman alleged the detective investigating her boyfriend called her and made inappropriate sexual comments (unfounded).

CRC Public Meeting Schedule

July 17 5:30 pm	City Hall Rose Room 1221 SW 4 th Avenue
July 31 5:30 pm	City Hall Lovejoy Room 1221 SW 4 th Avenue
August 21 5:30 pm	City Hall Rose Room 1221 SW 4 th Avenue

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