

PSF-5.25 - Independent Police Review - Monitor and Review of Police Bureau Investigations

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Administrative Rules Adopted by Auditor's Office Pursuant to Rule-Making Authority

ARB-PSF-5.25

Policy: Portland City Code 3.21.070 authorizes IPR to monitor administrative investigations conducted by the Police Bureau that allege misconduct by a member. Administrative investigations may be conducted by Internal Affairs, another designated Police Bureau division at the discretion of the Internal Affairs Captain, or the Bureau of Human Resources.

1. When an investigation is conducted by Internal Affairs, another Police Bureau division, or the Bureau of Human Resources, IPR shall be provided unrestricted access to the entire investigative file to the extent allowed by state and federal law.
2. IPR staff may attend and participate in interviews conducted by Internal Affairs.
3. After an administrative investigation is complete, in accordance with procedures outlined in Directive 332.00 Administrative Investigations, Internal Affairs will forward the completed investigation, including recommended findings, to the involved member's manager for proposed findings.
4. IPR will receive for its review the completed investigation with recommended findings and the manager's concurrence or disagreement with the findings from Internal Affairs.
5. Within seven days of receipt, the Director or designee, will review all investigations and recommended findings to ensure accuracy, completeness, and compliance with contractual, directive, and City Code requirements, as well as determine whether additional allegations warrant further investigation.
6. The Director will determine whether an investigation is sufficient based on the following factors:
 - a. Whether a preponderance of evidence supports the recommended findings;
 - b. Accuracy and fairness;
 - c. Thoroughness;
 - d. Lack of bias;
 - e. Objectivity; and
 - f. Completeness.
7. A completed administrative investigation will not be sent to the involved member's manager for a findings determination until it has been reviewed and approved by IPR. If the Director determines that the investigation is not adequate, the Director shall return the investigation to Internal Affairs with a written explanation for IPR's determination and direction for additional investigation. Such direction may include, but is not limited to:
 - a. Rewriting portions of the investigative report;
 - b. Gathering additional evidence; or
 - c. Conducting additional interviews of Police Bureau or community member witnesses.

8. The Director will review Police Bureau manager's findings and/or discipline recommendations.
 - a. If there is a disagreement with a manager's recommended finding and/or discipline, the Director may refer the case to the Police Review Board as described in Police Bureau Directive 336.00 (Police Review Board).