

Independent Police Review 2002 Annual Report

Executive Summary

Mission

The mission of the Independent Police Review Division (IPR) is to improve police accountability to the public and to provide the opportunity for fair resolution of complaints against the police. The IPR works with the Citizen Review Committee (CRC) and the Portland Police Bureau (PPB) to ensure that : (1) proper action is taken to address complaints about police activities; (2) complainants and officers have an opportunity for a fair appeal of the results; and (3) policies are changed to prevent the recurrence of problems identified through the complaint process.

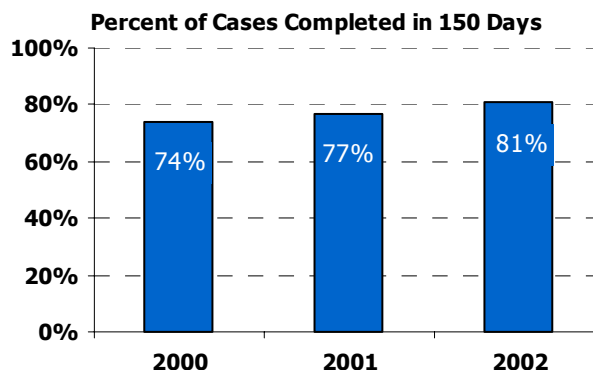
First Year Changes

Significant improvements have been introduced in the first year of operation to achieve this mission:

- An improved selection process for CRC members was created
- CRC members underwent training in policing issues
- The appeals backlog was eliminated
- Complaints are taken by an office independent of the Police Bureau
- Complaints can be filed through the City website
- Database software has been installed to manage complaints and identify complaint patterns and training issues
- The Police Bureau improved their handling of service complaints
- Professional mediators have been hired to resolve complaints
- The IPR actively participates in Internal Affairs (IAD) investigations
- The IPR has authority to independently investigate complaints
- Complainants are notified of the status of their case on a regular basis
- The Police Bureau has proposed a more efficient discipline process
- Investigation deficiencies are corrected before appeals hearings
- Protocols have been developed for appeals hearings
- Complainants are surveyed for feedback
- Outreach has been conducted to improve public and officer awareness
- Experts have been hired to conduct a policy review of officer-involved shootings and deaths in custody
- Public forums have been held on policy issues
- Complaint-handling performance standards have been developed

Timeliness

In 2001, City Council, complainants, and police officers were unanimous in demanding more timely resolution of complaints. In 2002, IPR handled 1,091 information calls and initiated 513 complaints, of which 81% were completed within the Police Bureau's stated goal of 150 days.



The overall timeliness in the handling of complaints improved between 2001 and 2002. Likewise, there was strong improvement in the speed of intake investigations between 2001 and 2002, and a pronounced improvement in timeliness in the handling of appeals between the CRC and its predecessor, the Police Internal Investigations Auditing Committee (PIIAC).

Number of Days to Complete Appeal	2000 PIIAC Appeals	2002 CRC Appeals
0-50 Days	0%	66%
51-100 Days	0%	24%
101-150 Days	4%	3%
151-365 Days	67%	7%
More than 365 Days	29%	0%
Number of Appeals	29	29

Despite gains in timeliness in 2002, there were a number of areas where improvement is still needed. The IPR did not achieve its goal of completing all intake investigations within 21 days, the speed of IAD assignments dropped over the course of 2002, and IAD did not achieve its timeliness performance goals for declines, service complaints, or full investigations.

Investigation Quality and Outcomes

The IPR Director ensures that IAD properly categorizes complaints, reviews IAD investigations for thoroughness, and evaluates proposed findings. In addition, the IPR is charged with monitoring the processing of citizen complaints and reporting publicly on case outcomes. Overall, the most common complaint filed with the IPR involved allega-

tions of either rude or unprofessional behavior. Of the complaints filed in 2002, 61% were referred to the Internal Affairs Division for handling. Of those complaints, 32% were assigned to an IAD investigator for a full investigation, 30% were assigned to precincts as service complaints, and 30% were declined after review by the IAD Captain. Since a significant proportion of the 2002 workload remained open at year-end, it is too early to calculate a sustain rate for 2002 complaints.

Ten Most Common Citizen Complaints	Number of Complaints
Rude Behavior	116
Unprofessional or Unjustified Conduct	73
Excessive Force Involving Hands, Feet, or Knee Strikes	66
Harassment, Intimidation, Retaliation or Threats to Arrest	57
Provide Poor Service	48
Profanity	43
Incorrect Charges/Citations	39
Did Not Take Appropriate Action	35
Violated Constitutional Rights	27
Failed to File a Police Report	24

Constant communication between IPR and IAD has improved investigations. The IPR Director has been provided with free and unfettered access to Police Bureau records, IAD investigative reports, and the reasoning behind Police Bureau decisions. The IPR Director made 162 formal comments to IAD. For example, in nine cases the IPR Director requested that allegations be re-categorized to better reflect the type of conduct alleged by the complainant. In 13 cases, the IPR Director requested further investigation, and in seven cases recognized exceptionally good investigative work.

The IPR Director was actively involved in several IAD investigations of alleged misconduct. The Director also participated in interviews, as well as discussions with the Police Bureau Review Level Committee regarding the findings. These cases included the allegation of a cover-up of a Central Precinct assault and a failure to report an incident of domestic violence.

Complainants may appeal the results of an investigation. Of the 61 appeals filed by complainants in 2002, 57 were resolved by year-end. After review of each case, full hearings were conducted on 24 of the appeals. In seven of the appeals, the CRC voted to challenge 17 findings, and after reconsideration, the Police Bureau accepted them all.

The IPR also reviewed the discipline resulting from complaints received in 2002 and closed by year-end. Discipline had been imposed ranging from command counseling to 20 hours off (two days) without pay, which appeared to be appropriate, based upon the facts of the complaints, the underlying IAD investigation, and the disciplinary history of the involved officers.

Complainant Satisfaction

Complainants are now more satisfied with the quality of intake interviews, explanations about the process, communication about the progress of their cases, as well as with the thoroughness and efficiency in the processing of their complaints.

Even though there was an increase in satisfaction with the complaint *process*, there was no statistically significant change in satisfaction with either the fairness of the complaint outcomes or with perceptions that the City of Portland is working to prevent police misconduct.

How satisfied were you that your complaint was handled:	2001 Pre-IPR Process	2002 IPR Process	Change
thoroughly?			
Satisfied	19.6%	30.1%	10.5%
Neither satisfied nor dissatisfied	13.0%	15.1%	2.1%
Dissatisfied	67.4%	54.8%	-12.6%
<i>Number</i>	92	93	
quickly?			
Satisfied	25.0%	37.0%	12.0%
Neither satisfied nor dissatisfied	15.2%	17.4%	2.2%
Dissatisfied	59.8%	45.7%	-14.1%
<i>Number</i>	92	92	

One new effort that may improve complainant satisfaction is mediation. IPR contracted with a panel of professional mediators in late September to begin offering mediation as an option for complaint resolution. As of the end of March 2003, four mediations had been completed and seven more were still pending mediation. Participants complete evaluations at the end of mediation, and we will use them to report satisfaction and improve our efforts.

Policy Reviews

Policy reviews are underway to identify areas where the PPB can improve its practices. The IPR has hired a national expert to review officer-involved shootings and deaths in police custody between January 1997 and June 2000. The Police Assessment Resource Center (PARC) will evaluate Portland Police Bureau policies and training relative to national best practices. Their recommendations will also identify any areas where the quality of investigations could be improved. The report is due the end of summer 2003.

In addition, the IPR is conducting reviews of the Police Bureau's *Early Warning System* and its handling of tort claims alleging misconduct. The CRC Policy Work Group is reviewing Police Bureau policies relating to profanity, officer identification, and the use of civil holds for the transportation of intoxicated individuals to the Hooper Sobering Station.

Improving Police Services

The Portland City Council authorized a wide array of tools to improve police services:

Information and referral

Answering questions about police practices often resolves complaints. In addition, the IPR may refer callers to Risk Management or another agency's internal affairs division if it is a more appropriate avenue for redress.

Performance standards

Establishing expectations for timeliness, scope, and quality of complaint investigations will improve consistency and credibility of complaint handling.

Power to investigate and participate in investigations

Involvement in significant investigations can improve thoroughness, professionalism, and timeliness.

Independent reviews of policies and operations

Detailed analyses of a particular policy or management issue by IPR staff can identify areas where the Police Bureau can make improvements. Issues are often identified during appeal hearings that CRC members, IPR staff, and student interns analyze to develop recommendations to improve police services.

Analysis for complaint patterns

Better problem definition contributes to effective changes in policies, supervision practices, or intervention with particular officers.

Mediation

Professional mediators bring officers and complainants together to resolve many types of issues, thereby strengthening police-community ties.

Citizen Review Committee appeal hearings

Public hearings provide a structured opportunity for complainants and police to testify on a complaint regarding a violation of Police Bureau procedures, and the findings that resulted from an investigation. Nine citizens vote to challenge or accept Police Bureau findings.

City Council appeal hearings

When differences in CRC and Police Bureau findings cannot be resolved, a structured hearing will be conducted before City Council. Council decisions on findings are final, and the Chief determines discipline.

Public outreach

Viewpoints, concerns, and feedback from the public in open forums and CRC meetings in various parts of the community can create channels of communication between the public and the Police Bureau, as well as help shape policy issues and priorities for CRC and IPR efforts.

Expert review of officer-involved shootings

Every year the IPR will contract with national experts for a review of past officer-involved shootings and deaths in police custody to identify policy recommendations to help prevent future occurrences.

Follow-through

Change takes time and persistence. The IPR and CRC will monitor and report on recommendations to ensure that they are being effectively implemented throughout the Police Bureau.

Working relationship with the Police Bureau

Improving police services means constructively challenging the thinking and behavior of all 1,400 employees in the Police Bureau through a good working relationship. IPR and CRC members regularly communicate with managers, supervisors, and officers in the Police Bureau.

Increased Accountability

A fair and thorough review of every complaint does not guarantee that each person who complains will be satisfied. Nonetheless, we have improved communications with complainants, established an open and orderly appeal process, implemented a powerful case management system, set standards for timely investigations, created a mediation option, developed a constructive working relationship with police management and labor, seen CRC decisions accepted by the police, participated in IAD investigations, and obtained the assistance of experts on officer-involved shootings and deaths in custody.

We are recommending further improvements in complaint handling: to address timeliness by assigning some IAD administrative duties to a sergeant, streamlining Police Bureau decision-making on discipline, and more rigorously enforcing deadlines. In addition, we are proposing new timeliness goals to address cases that are more complex and require additional time to conduct a thorough investigation.

IPR also has assigned itself goals for 2003: To evaluate our mediation program, improve our outreach to the public, review the handling of tort claims, and prevent incidents that cause complaints by recommending improvements to Police Bureau policy and operations.

Independent Police Review Division

1221 S.W. Fourth Avenue, Room 320

Portland, Oregon 97204-1900

Phone: (503) 823-0146

Fax: (503) 823-3530

TTD: (503) 823-6868

<http://www.ci.portland.or.us/auditor/ipr>