



The Portland Police Bureau: Officer-Involved Shootings and In-Custody Deaths

Executive Summary

**A report prepared by the
Police Assessment Resource Center**

**for the
Independent Police Review Division,
Office of the Portland City Auditor**

*A copy of this report, including its Appendix, is available online at
www.portlandonline.com/auditor/ipr*

EXECUTIVE SUMMARY

The Independent Police Review Division of the City Auditor's office retained the Police Assessment Resource Center (PARC) to conduct a review of the 32 officer-involved shootings and two in-custody deaths that occurred in the city of Portland between January 1, 1997 and June 30, 2000. Thirty of the shootings and the two in-custody deaths involved the Portland Police Bureau (PPB); two shootings involved other agencies acting inside the city of Portland. The purpose of the review was to identify issues relating to policy and quality of investigations that the PPB needs to address.

PARC comprehensively reviewed the PPB's files of the 34 incidents — involving some of the Bureau's most significant cases during the three-and-one-half-year period under review — and its policies and procedures regarding officer-involved shootings and in-custody deaths. PARC's conclusions concerning the PPB's investigatory and internal review processes included:

- The internal review mechanisms from 1997 to mid-2000 did not demonstrate a consistent commitment to meaningful review and did not generally result in lessons being learned from these incidents.
- The Bureau did not conduct a documented internal review, at either the unit or the executive level, of 31 percent of the 32 PPB incidents; the undocumented executive review of an additional 13 percent of the incidents did not conform to PPB policy.
- The investigatory model used by the PPB focused on whether a crime had been committed, and underemphasized the policy and tactical issues that are generally more consequential in these types of incidents.
- The PPB developed some exemplary policies relating to officer-involved shootings —specifically an interview protocol and peer support process —

but, overall, its policies and practices, including those relating to the promptness of obtaining statements from involved officers, and the taping and “pre-interviewing” of all witnesses, need improvement.

- Notwithstanding much good work, the PPB’s investigators did not always conduct thorough and impartial investigations, and generally did not present the evidence obtained in those investigations in a clear, organized, and complete manner.

With respect to the incidents themselves, PARC concluded:

- Some of the 32 incidents demonstrated exemplary tactics and leadership; many demonstrated flaws in supervision, incident management, and field tactics that unnecessarily exposed officers to harm and increased the likelihood that they would need to use deadly force to defend themselves.
- The files on the 32 PPB incidents we reviewed gave no indications of the gratuitous use of firearms or other weapons, or of racial or ethnic bias.

As a result of these and other findings, PARC made 89 recommendations. Wherever we identified room for improvement we have recommended remedies. In some cases, where national best practices are clearly defined, our recommendations are specific. Where we see a range of potential solutions, we identify steps taken by various jurisdictions so that the PPB can consider which model might offer a “best fit” for Portland. In addition, we identified issues that the Bureau can remedy by the more consistent application of existing capabilities and policies.

Notably, we made the following recommendations concerning officer-involved shooting and in-custody death incidents: change the model the PPB uses for investigating such incidents; take prompt statements from officers involved in such incidents; tape all witness interviews; end untaped “pre-interviews” of all witnesses,

including involved officers; include all records obtained in an investigation in official PPB files; establish auditor-type civilian oversight of administrative investigations of those cases; involve a professional, non-PPB civilian in the Bureau's internal review of these incidents; supervise critical incidents better and more proactively; revise the Bureau's deadly force policy; and create a policy generally prohibiting firing at a moving vehicle.

Out of nearly one million calls for service during the three-and-one-half-year period, it is important to keep in mind that we reviewed only 32 PPB cases (and two additional investigations), all of which resulted in a shooting or a death. In accordance with our mandate, we did not examine any of the hundreds of thousands of PPB calls for service from 1997 to mid-2000 that were handled without any force, much less without a shot fired or a death. Nor did we re-investigate the cases we reviewed, but rather restricted our analysis, as required by the enabling City Council ordinance, to "policy-related issues."

No set of recommendations can eliminate the need, on occasion, for law enforcement officers to use deadly physical force to defend themselves and others. Following our recommendations, however, will assist the PPB in achieving its goals of enhancing officer safety and minimizing the incidence of officer-involved shootings and in-custody deaths. Following our recommendations will help the Bureau enhance its capacity to extract lessons from its deadly force and in-custody death incidents so that successes in responding appropriately can be replicated and problems remedied.

We offer our findings and recommendations with a view toward helping the Portland Police Bureau achieve the excellence of which it is capable. Based upon the open and constructive manner in which the Bureau has responded to previews of our findings and recommendations, we are optimistic that it will use the contents of this report as a vehicle for enhancing the critical, professional service it provides to the Portland community.

About PARC

The **Police Assessment Resource Center (PARC)** is a non-profit organization that supports and assists those responsible for the oversight of police departments -- monitors, law enforcement executives, civic officials, and government agencies -- to help them advance effective, respectful, and publicly accountable policing. Based in Los Angeles but working nationally, the Center serves as an honest broker of information accessible to anyone interested in police oversight and reform. The center publishes the *Best Practices Review*, a monthly e-mail newsletter, as well as short position papers and more detailed reports about individual law enforcement agencies. PARC sponsors fora on police accountability issues and emerging trends in the field, maintains and makes public a library of resources, and provides information to the media regarding policing issues in the news. Under the direction of Merrick J. Bobb, the nation's first police monitor, and guided by a diverse and experienced board of trustees, PARC also assists city officials, police departments, and monitors to implement reforms that are appropriate to the particular challenges facing police in a given jurisdiction.

**For more information about the Police Assessment Resource Center,
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