

# QUARTERLY REPORT

INDEPENDENT POLICE REVIEW AND CITIZEN REVIEW COMMITTEE



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FOURTH QUARTER 2010

## IPR DIRECTOR'S REPORT

by Mary-Beth Baptista, Director

City Auditor LaVonne Griffin-Valade, Assistant Director Constantin Severe, Community Outreach Coordinator Irene Konev, CRC Vice-Chair Jamie Troy, and I attended the National Association for Civilian Oversight of Law Enforcement (NACOLE) 16th Annual Conference in Seattle, Washington. NACOLE is a non-profit organization that brings together individuals and agencies working to establish or improve oversight of police officers in the United States. We attended several valuable presentations and workshops on various topics relating to police oversight.

Along with Deputy Director Mike Hess, I attended the 17th Annual Northwest Public Employees Diversity Conference. The theme of the conference this year was "Dialogues on Diversity: Strengthening Community - Government Partnerships." We attended sessions that focused on the history of African Americans in Oregon, education and dialogue to increase our understanding of Islam and Muslims, and methods to develop our cross-cultural knowledge and competence.

Konev and I met with international delegates from China, Peru, Lesotho, Montenegro, Angola, Bahrain, Mozambique, and the Philippines to explain the powers and duties of the Independent Police Review (IPR) and Citizen Review Committee (CRC). We discussed building community and police relationships, complaint data, and police accountability.

The 2010 CRC recruitment concluded. The selection committee consisted of three former CRC members, two community members, and I. We selected the top four nominees from several quality applicants. The City Auditor will present current members — Michael Bigham and Dr. Rochelle Silver, along with prospective new members — André Pruitt and Steve Yarosh, to City Council for appointment on February 2, 2011.

## CRC CHAIR'S REPORT

by Michael Bigham, Chair



The CRC members hosted a Community Public Forum on accountability and professional standards of the Portland Police Bureau. The forum was held in north Portland at Keizer Permanente's Town Hall on October 28, 2010. We explained the CRC mission and provided information about Portland's civilian oversight system.

Additionally, CRC heard community members' comments and concerns. We received very good input about this forum from the Portland community.

The Police Oversight Stakeholder Committee's report was presented to the City Council on December 1, 2010. I spoke in support of the report's recommendations — especially emphasizing the need for a new standard of review based on the preponderance of the evidence and the need for defined IPR staff support for CRC.

CRC members attended training sessions (public included) which were provided by the Portland Police Bureau's Training Division. The CRC members found the training to be helpful and we thank the Police Bureau for its efforts. Also, during our December CRC public meeting, Kevin Diaz (legal Director of the ACLU-Oregon) gave a presentation regarding the Police Bureau training.

Finally, two of our CRC members resigned due to personal / family reasons: Lindsey Detweiler and Lewellyn Robinson. We will surely miss them.

### OFFICE OF THE CITY AUDITOR

*The City Auditor's division of the Independent Police Review (IPR) receives and screens complaints about officers of the Portland Police Bureau. IPR may dismiss, mediate, investigate, or refer complaints to the Police Bureau. IPR analyzes complaint patterns, conducts policy reviews, as well as oversees investigations.*



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### CITIZEN REVIEW COMMITTEE

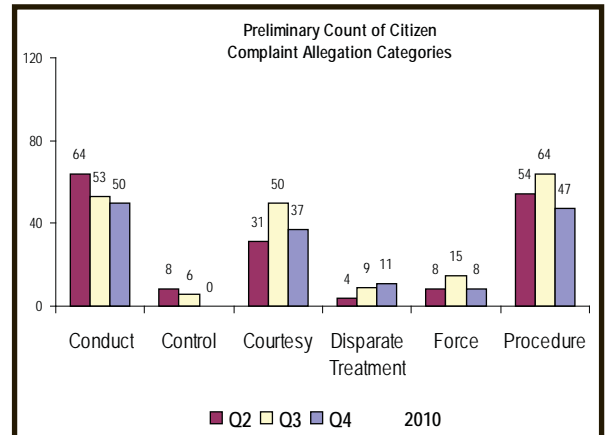
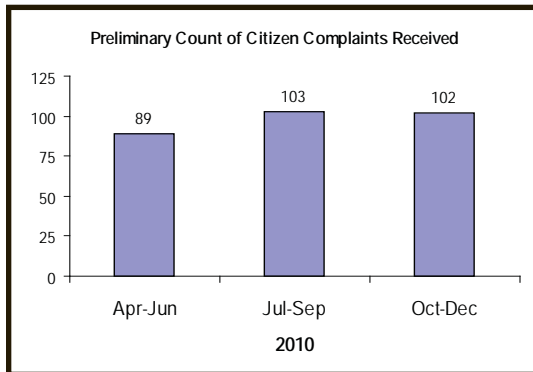
*Community Oversight of Portland Police Bureau*

*As community volunteers, the nine members of the Citizen Review Committee (CRC) are appointed by Portland City Council to monitor and advise IPR, hear appeals, and receive public concerns.*

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## CASE STATISTICS

IPR records and tracks all citizen-initiated complaints. The following charts show the number of complaints received and the total allegations in each complaint category over the past three quarters. Most complaints contain multiple allegations, each classified and tracked separately, so allegations outnumber new cases.



IPR *randomly* selects a few new citizen complaints, completed investigations, and community commendations from the reporting period to provide examples for the following sections.

## NEW CASES

- A woman said that a Police Bureau member asked her son the meaning about a sign on the front fence of their house that said, "I am not giving you permission to kill my son."

*Status: Dismissed – unable to identify officer*

- During a dispute over a parking space, a community member was shoved and slapped by an unidentified party. When he explained the situation to the Police Bureau member, he felt that the officer was dismissive of the incident and implied that the complainant was to blame for the incident.

*Status: Initial Investigation ongoing*

- A community member felt that the officer who responded to a civil standby failed to treat him respectfully.

*Status: Referred to IAD as Service Improvement Opportunity*

## MEDIATIONS

Mediation allows community members and officers to voluntarily come together to discuss their concerns in a respectful, constructive manner; an impartial, professional mediator facilitates the session. Both parties are heard in a confidential and neutral setting with the goal of gaining a better understanding of one another's perspective about the incident.

IPR had six mediation requests in the fourth quarter: three cases were completed through mediation sessions. However, the complainant withdrew in the fourth case and the detective declined to mediate in the fifth case. Due to scheduling issues during the holidays, the sixth case is to be mediated in the first quarter of 2011. Also, two requests were carried over from the third quarter: one was mediated and the other was cancelled by the complainant. Eight cases were processed for mediation in this quarter.



*Citizen Review Committee and Police Review Board training was presented by the Portland Police Bureau in the City Hall Council Chambers – six evening public sessions.*

## INVESTIGATED CASES

Senior Bureau management reviewed 10 completed misconduct investigations during the quarter. Many of the complaints involved more than one officer and alleged several acts of misconduct.

Commanders recommended at least one sustained finding in four of the 10 cases, and suggested an officer debrief in five of the six 'non-sustained' cases.

An example:

- A Police Bureau officer was dispatched to a call of an “out of control” runaway youth. During the struggle to regain control over the youth, the officer kicked the youth in the stomach. Internal Affairs investigated whether the officer used excessive force in subduing the youth and whether he filed a police report detailing his use of force before the end of his shift.

*Finding: Sustained*

## COMMENDATIONS

The Police Bureau receives commendations – thanking specific officers for their exemplary work. Copies of a commendation are sent to the officer and his/her supervisor, and are retained in the officer’s history file.

Examples include:

- A woman explained that she, and another car in her traveling caravan, got lost in the Portland area. An officer stopped and helped get them back on track to their destination. She said she felt safe and secure with the officer and was very grateful for his assistance.
- An apartment tenant said she has had ongoing problems with her neighbors stealing money and jewelry from her. The same officer has responded several times and has done an outstanding job of apprehending the suspects. She said the officer performed his duties with great professionalism and compassion.



*CRC's Community Public Forum on Portland Police Bureau accountability and professional standards – October 28, 2010 at Keizer Permanente's Town Hall on North Interstate Avenue, Portland, Oregon.*

## CRC WORKGROUPS

### 1. Appeals

The Appeals Workgroup finalized two protocols in the last quarter of 2010. The revised protocols were posted on the IPR/CRC website for public comment and then presented to the full CRC for approval. The amended protocols were subsequently adopted by the City Auditor and are posted on the Portland Policy Documents website.

- PSF 5.03 – Appeals Procedure
- PSF 5.13 – Supplemental Appeal Hearing

Plans are in motion for the PSF 5.15 – Untimely Appeal protocol to be adopted by the first quarter in 2011. In addition, the workgroup is reviewing these appeals related protocols:

- PSF 5.05 – Guidelines for Declinations of CRC Appeals
- PSF 5.16 – City Council Appeals Protocols for IPR' CRC Appeals
- PSF 5.17 – Guidance for Working Together
- PSF 5.21 – Appeal Process Advisor

### 2. Outreach

The Outreach Workgroup continues to expend its efforts on the outreach action plan and has scheduled additional work on that plan. After

successfully concluding the second Community Public Forum in 2010, the workgroup started planning the next one to be held in March 2011.

### 3. Protocol

The Protocol Workgroup is looking at other protocols (which are primarily the preview of IPR and Internal Affairs) to determine what (or if any) impact changes to those protocols will have on CRC. CRC adopted the revised protocols:

- PSF 5.04 Communication Guidelines
- PSF 5.07 Public Comment
- PSF 5.12 Workgroup
- PSF 5.14 Request for Reconsideration of CRC Decision

The PSF 5.18 Policy Review Protocol is scheduled next for review.

In addition, once City Council adopts the Police Oversight Stakeholder Committee's recommendations, this workgroup will begin reviewing those recommendations.

### 4. Recurring Audit

The Recurring Audit Workgroup has been in the final stages of publishing "The Use of Service Improvement Opportunities" report. The report identifies process improvements and contains recommendations for IPR, the Police Bureau, and CRC. In November 2010, the draft report was presented to the full CRC and its feedback has been incorporated into the final version. The plan is to publish the report in the first quarter of 2011.

### 5. Taser/Less-lethal Force

The Taser/Less-lethal Force Workgroup has been reviewing complaint files to determine patterns

and issues for recommendations. In addition, workgroup members met with a local defense attorney to discuss issues that he has seen with Portland Police use of tasers and less-lethal force. The workgroup currently has only two members and plans to add more members the first of the New Year.

## IPR OUTREACH UPDATES

Community Outreach Coordinator Irene Konev made significant accomplishments and attended several events, including: Immigrant and Refugee Community Organization's Community Needs Assessment and Development Conference, Rose City Music Festival at Jefferson High School, Community Safety Conversations at United Villages, Say Hey Northwest, Colored Pencils Art and Culture Night, Kwanzaa Celebration, and Open House for Oregon Partnership (a substance abuse and suicide prevention organization).

She also made presentations on the commendation and complaint process to: Outside In, Jefferson High School Civic Leadership class, Constructing Hope, as well as the Urban League Adult and Senior Program. Without compromising the IPR oversight role, IPR staff and a Police Bureau officer made a presentation together at the Kelly Elementary School (in Spanish) to the Hispanic community. Afterwards, the officer answered questions about policing issues and programs.

CRC members and Konev attended the Police Awards Ceremony and presented to the Oregon Native American Chamber. In addition, Konev continues to attend the Community and Police Relations Committee monthly meetings. IPR staff members provided administrative help and support for the October CRC Community Public Forum at Keizer Permanente Town Hall. Designated IPR staff members also assisted and attended the Portland Police Bureau's 18-hour training for CRC, Police Review Board community members, and the public.

Konev enhanced the IPR/CRC website by adding a password-protected section to aid CRC members' internal communication. She also added the NACOLE category that links to police oversight information from the global community.



Left to right: Beverly Bolensky Dean (City Auditor Deputy Ombudsman), Loretta Smith (Multnomah County Commissioner), and Irene Konev (IPR Community Outreach Coordinator) attending an Oregon Native American Chamber luncheon.

### CRC Public Meetings Schedule

Second Wednesday Each Month  
(Subject to Change\*)

February 9	City Hall — Lovejoy Room @ 5:30 PM
March 9	City Hall — Rose Room @ 5:30 PM
April 13	City Hall — Lovejoy Room @ 5:30 PM