

QUARTERLY REPORT

INDEPENDENT POLICE REVIEW AND CITIZEN REVIEW COMMITTEE



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FIRST QUARTER 2011

IPR DIRECTOR'S REPORT

by *Constantin Severe, Assistant Director*

In keeping with the reforms in civilian oversight passed by the Portland City Council (Council) in March 2010, the Independent Police Review (IPR) has increased its role in officer-involved shootings and in-custody deaths investigations (OIS/ICD) as well as the Police Review Board (Board). A member of the IPR management team has been assigned to each newly opened OIS. IPR is now involved in every stage of an OIS/ICD administrative investigation by:

- Receiving notification from the Portland Police Bureau (Police Bureau) that an OIS has occurred;
- Attending the first briefing given by the Detective Division the day after the shooting;
- Being involved in investigation meetings; and
- Participating in officer and witness interviews.

Additionally, in future OIS/ICD incidents, a member of the IPR management team will respond to the scene to monitor the investigation. IPR would not have been able to meet the public's expectation

of greater transparency and oversight without the collaboration and cooperation of the Police Bureau, particularly the commanders of the Detective and Professional Standards Divisions. They were essential in crafting new procedures to allow this to take place.

An IPR representative has started attending the newly revamped Board meetings as a voting member.

Council approved a three-year contract of the Office of Independent Review (OIR) to conduct a review of closed officer-involved shootings and in-custody deaths investigations occurring between the years 2004 – 2011.

CRC CHAIR'S REPORT

by *Michael Bigham, Chair*



During our January monthly meeting, Sergeant Gorgone made a presentation on the Gang Reduction Education and Training (GREAT) program. In February, Lieutenant Schober and K9 Unit officers made a presentation on the Police Bureau's K9 Unit.

Also, the full Citizen Review Committee (CRC) approved the Recurring Audit Workgroup's draft Service Improvement Opportunity (SIO) Report. The report will be presented to Council at a later time.

I want to welcome two new CRC members: Mr. André Pruitt and Mr. Steve Yarosh. They are great additions to our committee and we are excited to be working with them.

CRC has tentatively scheduled our biennial retreat during the second quarter of 2011. The members plan on determining their goals and objectives for the coming year. In addition, the Chair of the Police Review Board in Eugene has been invited to attend this CRC retreat.

Finally, this is my last CRC Chair's Report. I have decided not to run for another term as CRC Chair. I would like to thank my fellow CRC members, IPR staff, the Auditor, Police Bureau command staff, and concerned members of the public for their suggestions and assistance during my tenure as CRC Chair. Their support has been much appreciated.

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

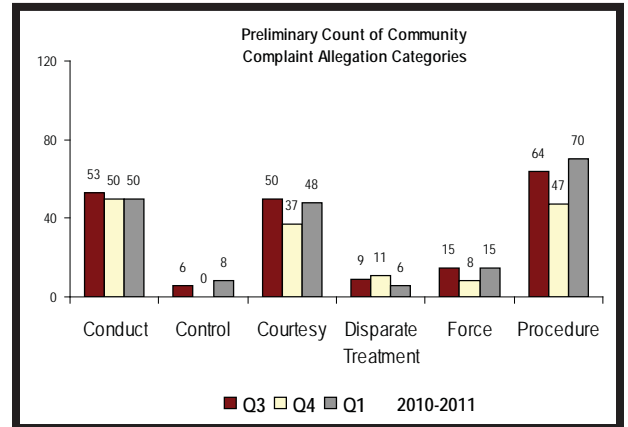
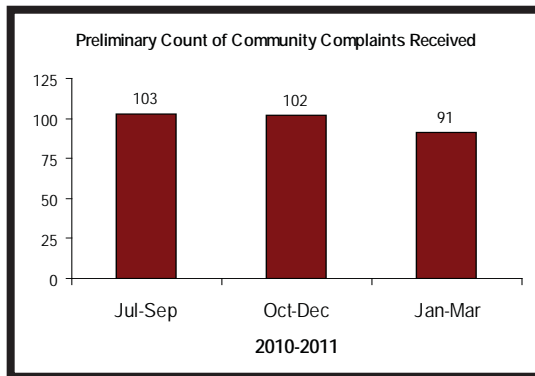
Community Oversight of Portland Police Bureau

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 community 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 community complaints, completed investigations, and officer commendations from the reporting period to provide examples for the following sections.

NEW CASES

- A young man was skateboarding on the sidewalk when an unidentified male “shoulder blocked” him for riding too close to his female companion. Another person ran across the street and began hitting the skateboarder, injuring him. Officers broke up the fight, but according to the skateboarder they did not write a police report.

Status: Dismissed by IPR when it was found that the officers did write a report.

- A man who was cited for a traffic violation said that the officer became agitated and raised his voice because the man had a young child riding in the front seat of the car with an airbag.

Status: Referred to Internal Affairs to be handled as a Service Improvement Opportunity.

- A community member was driving in Southeast Portland when he noticed a motorcycle officer make a U-turn, using emergency lights, who then proceeded to drive in a routine manner – giving no indication that he was on a priority call.

Status: Dismissed by IPR due to the inability to identify the officer.

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 neutral and confidential setting. The goal is to gain a better understanding of one another’s perspective about the incident.

IPR had five mediation requests in the first quarter: four cases were declined by the involved officers; however, the fifth case was mediated. There was one request carried over from December 2010; it was mediated in January 2011. Six cases were processed for mediation in this quarter.



Left to right: New CRC members Mr. André Pruitt and Mr. Steve Yarosh were sworn in by City Auditor LaVonne Griffin-Valade and joined by returning CRC members Mr. Michael Bigham and Dr. Rochelle Silver – City Council appointments in February 2011.

INVESTIGATED CASES

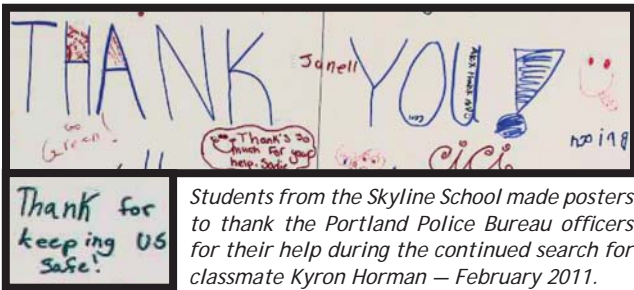
Senior Bureau management reviewed 15 completed administrative investigations during the quarter. Many of the complaints involved more than one officer and alleged several acts of misconduct.

Commanders recommended at least one sustained finding in 10 of the 15 cases, and suggested an officer debrief in two of the five 'non-sustained' cases. An example:

- A Training Division officer negligently discharged his firearm down range while demonstrating a firearms training tactic at a Police Bureau authorized firearms range. Other Police Bureau members failed to report the negligent firearm discharge as required by Police Bureau policy and procedure.

Findings:

Sustained – negligent firearm discharge
Sustained – failure to report



Students from the Skyline School made posters to thank the Portland Police Bureau officers for their help during the continued search for classmate Kyron Horman – February 2011.

COMMENDATIONS

The Police Bureau and IPR receive 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 man commended a Central Precinct officer for his helpful interaction when trying to locate his missing teenage son in downtown Portland. The father said the officer went above and beyond while getting his son home quickly.
- A bicyclist (involved with a car “hit and run” accident) explained that the North Precinct responding officer did outstanding, professional work on his case by displaying astute attention to detail. The officer had a very approachable and friendly demeanor while establishing a rapport with him and expressed concern for his welfare.



Left to right: CRC member Mr. Jeff Bissonnette volunteered to gear up for a presentation on the Portland Police Bureau Traffic Division K9 unit (Captain Todd Wyatt with dog) – February 2011.

CRC WORKGROUPS

1. Appeals

The Appeals Workgroup presented protocol PSF 5.15 – Untimely Appeal to the full CRC for adoption at the January CRC meeting; it was approved. Also, the workgroup reviewed protocol PSF 5.05 - Guidelines for Declinations of CRC Appeals and determined no changes were needed or recommended.

The workgroup began (but tabled) discussion on protocol PSF 5.16 – City Council Appeals for IPR's CRC Appeals. The workgroup determined that Council is likely to amend the Ordinance as it relates to these appeals, and thus work on the protocol should be postponed until after a vote is held. Additionally, the workgroup discovered inaccuracies and contradictions with related Ordinance Section 3.21.160B. The workgroup decided to address the issue by working with the Auditor and IPR to suggest revisions when Council takes up the Ordinance for a vote.

This workgroup continues the review process with another appeals-related protocol (PSF 5.21 – Appeal Process Advisor). Current Appeal Process Advisors (APAs) and National Lawyer Guild Volunteer Advocates were invited to discuss the pros and cons of the current system and whether APAs should have a greater advocacy role.

2. Outreach

In keeping with the Outreach Workgroup plan of holding Community Public Forums in all sectors of the city, the workgroup determined it should reschedule the next forum in May 2011 – in order to obtain a suitable location in southeast Portland. However, a site was not available so the forum will be held in northeast Portland

instead. The location is the Portland Community College Metropolitan Workforce Training Center (5600 NE 42nd Avenue). Also, summaries of the previous Community Public Forums can be viewed on the IPR/CRC website.

3. Protocol

The Protocol Workgroup completed its review and revision of Protocol 5.18 – Policy Review Protocol, and scheduled it for CRC consideration and approval at the April 2011 meeting. The workgroup has suspended any further meetings pending Council’s adoption of the Police Oversight Stakeholder Committee’s recommendations; it will resume at that time.

4. Recurring Audit

The Recurring Audit Workgroup finalized its report *The Use of Service Improvement Opportunities* and published it for viewing on the IPR/CRC website. This report identifies process improvements and contains recommendations for IPR, the Police Bureau, and CRC. The committee will be reconvening to work on its next task (a review of IPR dismissals) and will be meeting soon to begin phase one of this project.

5. Taser/Less-lethal Force

The Taser/Less-lethal Force Workgroup met in executive session to discuss the confidential details of a specific case that concerned the members of the group. Later, the workgroup met with members of the community to explain why it felt necessary to hold the session and to provide a general summary of the discussion. IPR’s Senior Management Analyst Mr. Derek Reinke has started to compile and analyze data from this workgroup’s case review. Also, this quarter Mr. Loren Eriksson (CRC member) joined the workgroup.



Left to right: Community Outreach Coordinator Ms. Irene Konev and Dr. Rochelle Silver “tabling” at the Portland Fix it Fair – with the focus of recruiting more women to apply for CRC appointments in February 2011.

IPR OUTREACH UPDATES



Ms. Irene Konev

IPR’s Community Outreach Coordinator (Coordinator) Ms. Irene Konev and Assistant Director Mr. Constantin Severe planned and led orientation sessions for CRC members (public invited). The orientations were comprehensive and informative, and they facilitated relationship building between the Auditor, Internal Affairs, the public, IPR, and CRC.

The Coordinator attended and networked community events at: Asian Pacific Chamber of Commerce, Philippine American Chamber of Commerce, Portland Commission on Disability, Colored Pencils, City Charter Commission, and the Police Bureau Awards Ceremony. She tabled at: Portland State University (Oregon Students of Color Coalition Conference), the Vaginal Monologues production, and two Fix-it-Fairs at Jefferson and Parkrose High Schools.

Ms. Konev met with the director of the Youth Violence Prevention Program – and the leaders of the Oregon Assembly for Black Affairs, National Association for Advancement of Colored People, El Programa Hispano, Latino Network, 211 Info Portland, and Highland Christian Center.

IPR staff and the Coordinator presented to: Grandparents Raising Grandchildren, Tri-county Domestic Violence Director’s Network, JOIN (a homeless organization), and two youth programs through the Multnomah County Health Department (Helensview High School students and Native American Youth and Family Center’s youth). Also, Ms. Konev and Dr. Rochelle Silver (CRC member) held a one-hour training for employees of the Gateway Center. In addition, IPR staff members engaged in a three-hour follow-up training on intercultural competence to further their training.

Mr. Severe attended the Say Hey Northwest and held a meaningful discussion on governance issues and conflict resolution with delegates of Algeria, Iraq, Morocco, Yemen, and Palestine Territories (through the World Affairs Council).

CRC Public Meetings Schedule

Second Wednesday of each month
(Subject to change*)

May 11	City Hall – Lovejoy Room @ 5:30 PM
June 8	City Hall – Rose Room @ 5:30 PM
July 13	City Hall – Lovejoy Room @ 5:30 PM