

# QUARTERLY REPORT

Independent Police Review (IPR) — Citizen Review Committee (CRC)



[www.portlandoregon.gov/auditor/ipr](http://www.portlandoregon.gov/auditor/ipr)

First Quarter 2013

## IPR DIRECTOR'S REPORT

by Mary-Beth Baptista, Director



The Auditor and IPR Director participated in numerous City Council budget sessions during the first quarter to secure funding to add 2.5 additional investigators to IPR staff. The pending agreement between the City of Portland and the United States Department of Justice (DOJ) requires that IPR

investigators conduct a more in-depth investigation in an expedited time line and sets forth the expectation that IPR and the City revise its policies to enable IPR to conduct meaningful investigations. The agreement also requires a more in-depth intake process, including expanded efforts to identify officers and interview all witnesses. The Auditor and Director explained to Council without additional investigators, IPR does not currently have the staffing resources to meet DOJ's intensified investigation requirements and abbreviated timelines. City Council recognized that IPR's current staffing levels were inadequate and provided the necessary funds for the additional positions.

IPR began recruitment to fill vacancies on the Citizen Review Committee. Letters and emails were sent

to elected officials, judges, attorneys, community-based and faith-based organizations, and other members of the community who have shown interest in serving on CRC. IPR received 53 applications and had a diverse pool of candidates. There was also a variety of professional and personal backgrounds and ages represented among the applicants.

IPR management received timely notifications of the two officer-involved shootings in the first quarter. We were given prompt access to the incident scene and attended the detectives briefing to command staff.

### OFFICE OF THE CITY AUDITOR

The City Auditor's division of the Independent Police Review 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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## CRC CHAIR'S REPORT

by F.G. (Jamie) Troy II, Chair



The first quarter of 2013 found the CRC busy conducting case file reviews and appeal hearings.

While we originally scheduled to conduct an appeal at our first meeting of the new year on January 9<sup>th</sup>, we learned that the involved officer wanted to participate in the appeal with an Appeals Process Advisor (APA) but was unable to attend due to illness. We reset the appeal for January 30<sup>th</sup> and held the hearing with APAs presenting for both the appellant and the involved officer. Each side was articulate in their presentation and the CRC was favorably impressed with both APAs and how they increased the quality of presentations for both sides. The case involved an allegation of excessive use-of-force in escorting a woman out of the Park Blocks area and though it was close, the committee voted to challenge the Police Bureau's finding of exonerated and instead recommended a finding of unproven. Our recommendation was accepted.

In February, we held a continuation of an appeal hearing last heard in June 2012. In the interim, Internal Affairs completed additional investigation on the case that CRC had requested; though only after they were directed by former Police Commissioner and Mayor Sam Adams. The appeal revolved around a man's written allegations of excessive force after his elbow was dislocated during an arrest. The additional investigation addressed whether the involved officer made statements that he had intentionally injured the man.

The resulting information provided greater clarity around statements made after handcuffing in the incident and provided our committee with the necessary information to proceed. Ultimately, we

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### CITIZEN REVIEW COMMITTEE

*Community Oversight of Portland Police Bureau*

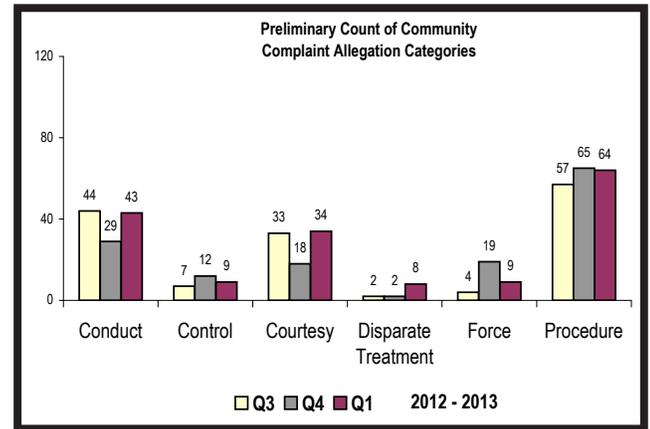
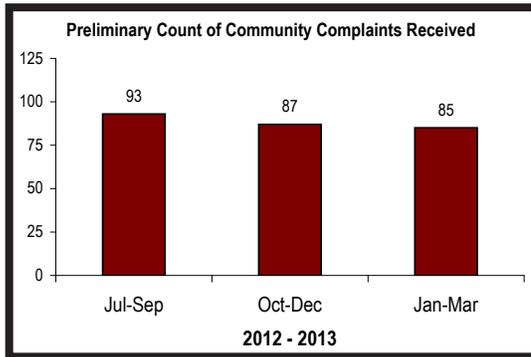
*As community volunteers, the nine members of the Citizen Review Committee are appointed by Portland to monitor and advise IPR, hear appeals, and receive public concerns.*

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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

- IPR received a written complaint about the Police Bureau's response to a tense landlord-tenant situation. The complainant and a listed witness did not respond to requests for additional information.

**Status:** *IPR Dismissal.*

- A community member walking home from a 'sports bar' with headphones on ignored an officer's requests to stop and talk. While the man did eventually comply, he reported that the officer was visibly upset and held his hand near his firearm. The complainant believed he was well within his rights to continue walking and was confused why his actions had so clearly unsettled the officer.

**Status:** *Mediation Pending.*

## 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.

Three cases were successfully mediated in the first quarter of 2013. Two mediations are currently scheduled and three possible mediations are pending - awaiting either response from the involved officers to confirm their participation or final scheduling.



IPR Community Outreach Coordinator Irene Konev and Suzan Khouri of Univision.

## INVESTIGATED CASES

Senior Police Bureau management reviewed 15 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 six of the 15 cases, and suggested an officer debrief in six of the nine 'non-sustained' cases.

### INVESTIGATED CASE EXAMPLE AND FINDINGS

- A community member complained that an officer living next door mentioned knowledge of his criminal history during a (dog-related) personal altercation.
  - Allegation #1: The officer acted unprofessionally in interactions with his neighbor. Finding: *Unproven (with debriefing)*.
  - Allegation #2: The officer improperly accessed confidential information for personal reasons. Finding: *Sustained*.

## COMMENDATIONS

A Fred Meyer employee wrote to IPR to commend an officer's response to a shoplifting incident. The employee felt the officer displayed a "very uncommon" balance of professionalism, follow-through, understanding, approachability, and sense of humor.

A purse belonging to a woman visiting from the United Kingdom for a wedding was stolen. The woman reports that the responding officer went out of his way to help; including extra efforts and steps to help replace her passport and other travel essentials.

A Project Respond member commended the efforts of an officer and sergeant in calming an armed and suicidal man. The two were patient and respectful in engaging the man, who was safely transported to the hospital.

A woman called IPR to report that she was impressed with officers' response to a robbery on Sandy Blvd. She said, "they didn't use lights and sirens - like on TV - but quietly and quickly parked nearby and motioned their intentions to each other." They were "obviously well-trained" and used "great teamwork" in making the arrest. She believes their training and response prevented injuries.

## CRC WORKGROUPS

### Use of Deadly Force

Use of Deadly Force Workgroup is reviewing the Police Bureau's policies and training regarding the highest levels of physical force. The Workgroup continues to focus on proposed changes in Use of Force Policies and the DOJ/ City of Portland agreement. The Workgroup met with the Training Division Commander in the first quarter and has a meeting scheduled with the Police Bureau's Special Emergency Reaction Team early in the second quarter.

### Crowd Control

The Crowd Control Workgroup continued to gather information related to the crowd control policies and tactics of the Police Bureau by speaking with community members and experts. The Workgroup met with the Central Precinct Commander in the first quarter as he often serves as an Incident Commander for large events. The Workgroup also has a meeting scheduled with the Police Bureau's Rapid Response Team early in the second quarter.

### Outreach

The Outreach Workgroup spent time debriefing the CRC/Race Talks forum and the Equity/ Diversity training for the CRC. Comments from the forum are documented on the IPR website. The Workgroup researched community  
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organizations to identify potential co-hosts for the next community public forum, and promoted and supported the 2013 CRC member recruitment.

### Recruitment, Retention, and Promotion

The Recruitment, Retention and Promotion Workgroup is developing a study to determine whether there is any correlation between the age, gender, education level, and experience of a police officer and the statistical likelihood of that officer engaging in misconduct. The project will evaluate and incorporate credible existing studies from similar municipalities and law enforcement agencies throughout the nation, and also examine several years of relevant data from the PPB. During the quarter, the Workgroup also met with a member of the Police Bureau's Personnel Division who gave an overview of the Bureau's recruitment process and new Affirmative Action Plan.

### Recurring Audit

The Recurring Audit Workgroup is completing a report on the handling of complaints dismissed by IPR. The Workgroup met once during the quarter and is preparing to start a review of closed investigations as its next project.

## CHAIR'S REPORT

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voted to affirm the bureau's finding of unproven with a debriefing. Follow-up policy discussions centered around de-escalation techniques and the scope of our review. We thank the APA in this case as well and see as promising that the family and lieutenant planned to meet after the appeal hearing ended.

In our March meeting, we conducted a case file review for an upcoming appeal. The committee believed it had all the information necessary to proceed with an appeal. We concluded that meeting by discussing the ongoing settlement negotiations involving the City and DOJ - and how we might lobby to revisit the shortened timeline for our appeals.

Finally, we participated in various events during the quarter to recruit new members. We look forward to new members joining our group in the coming quarter.

## IPR OUTREACH UPDATES



Irene Konev

### IPR OUTREACH UPDATES

Recruitment for new CRC members ended on March 13. IPR Community Outreach Coordinator Irene Konev solicited an unprecedented 53 volunteers - 29 female and 24 male - reflective of Portland's diverse community to serve on the CRC.

Networking and presentations took place with the following:

- Asian Pacific American Chamber of Commerce
- Hispanic Metropolitan Chamber of Commerce
- Slavic Council to the Chief's Office
- Multnomah County Family Violence Coordination Council
- Say Hey Northwest
- Race Talks
- PDX Women in IT Happy Hour Networking Event
- Community and Police Relations Committee
- Oregon Association of Minority Entrepreneurs
- Oregon Tradeswomen Inc.
- Mental Health America of Oregon
- Association of Slavic Immigrants
- Fix- it Fairs

### CRC Applicant Support

To promote and support CRC applicants, several informational sessions were held. The sessions were an opportunity for potential CRC applicants to ask questions of IPR staff and CRC volunteers about the application and selection process. Several current CRC members met for coffee with individuals interested in applying.

### IPR/CRC Media Outreach

IPR staff and CRC members launched the CRC recruitment on KBOO Radio. CRC recruitment ads were placed in The Skanner, The Portland Observer, The Asian Reporter, Russian - American Kanon Magazine, KUNP Univision Portland, Oregonlive.com, neighborhood newsletters, and numerous community partnership websites and list serves. Letters and emails were sent to elected officials, judges, attorneys, and community-based and faith-based organizations.

### CRC Public Meetings Schedule

First Wednesday of each month  
(Subject to change\*)

Wed., May 1 City Hall – Lovejoy Room @ 5:30 PM

Wed., June 5 The Portland Building – Room C @ 5:30 PM

Wed., July 3 City Hall – Lovejoy Room @ 5:30 PM