



# CITIZEN REVIEW COMMITTEE MEETING

*Community Oversight of Portland Police Bureau*

City of Portland / City Auditor  
Independent Police Review (IPR)  
Citizen Review Committee (CRC)

## Minutes

Date: Wednesday, February 3, 2016 (meetings are typically held the first Wednesday of each month)

Time: 5:30 pm \* *Please Note: agenda times are approximate*

Location: **Room C, Portland Building**, 1120 SW 5<sup>th</sup> Ave. Portland, OR 97204

Present: Roberto Rivera, Kristin Malone, Julie Falk, Julie Ramos, Mae Wilson, James Young, Bridget Donegan, Kiosha Ford, Angelo Turner, Anika Bent-Albert, Constantin Severe, Lt. Erica Hurley, Judy Prosper, Eric Berry, Dan Handelman,

## AGENDA

5:30 pm—5:45 pm Introductions and Welcome (CRC Chair Mae Wilson)

Approved of January 6, and January 21 Meeting Minutes

- Several CRC members made some corrections on the January 21 minutes and the committee voted to approve the minutes after all the changes

5:45 pm—6:00 pm Director's Report (IPR Director Constantin Severe)

- The Office of Independent Review (OIR Group) presented their fourth report to City Council on January 28, 2016. The latest report covers officer-involved shootings that occurred between 2011 and 2013. Among the themes were:
  - Seven of the shootings involved some evidence that the subjects wanted officers to shoot them;
  - Four on-scene sergeants engaged in tactical activities instead of supervising the incidents;
  - Officers improved the timeliness of medical care provided to injured subjects, addressing a recommendation from prior evaluations;
  - Two officers had been involved in prior shootings covered in prior reports; and,
  - In all 11 cases reviewed, no involved officer was interviewed until at least 48 hours after the incident a theme repeated throughout all prior OIR Groups reports.
- This was the last report under the previous contract. A request for proposal will be issued later in the month.
- IPR staff engaged in an all-day training on equity and diversity, learned about intersections of oppression, and gained culturally aware communications skills. In a separate training, staff learned about signs and effects of secondary trauma.
- IPR Community Outreach Coordinator Irene Konev met with program directors of Central City Concern, shared information on the IPR commendation and complaint process, and gathered feedback about policing. Konev gathered community stakeholders to received highlights of the fourth OIR report. IPR Investigator Casey Bieberich attended and engaged with community at the Fix-it Fair which took place at Ron Russell Middle School. IPR Intern Freda Ceaser continues her engagement with the youth of Jefferson High School.
- Johnson's exceptional facilitation skills produced an emotionally safe dialogue space for 35 community members who shared feedback about police as well as ideas of how IPR may serve the community better. Two trusted community leaders served as Spanish translators. IPR investigators Casey Bieberich, Deidra Perez (both Spanish speakers) and Ramsey AlQaisi attended, engaged, and answered questions about IPR. Childcare and culture specific food was provided.
- **Community Feedback**
  - Latino community members request further community engagement with IPR.
  - Service providers of the houseless community report good relationships with police.
  - At a recent Fix-It Fair, a community member stated that they felt the police were over scrutinized.

6:00 pm—6:15 PM Appeal 2015-C-0109/2016-X-0001 status update ( IPR Director Constantin Severe)

- Investigator Nomura went to the address that the Subject is known to reside and was unable to locate her. He left his contact information on the door, but receive no call back from the Subject

6:15 pm—6:30 pm CRC Leadership Discussion

- Current Chair Mae Wilson and Vice Chair Bridget Donegan are stepping out and will not be up for re-election
- Ms. Falk asked Chair Wilson if the Vice Chair will sit on the Executive Committee due to the quorum and public meeting laws?
- City Attorney clarified that if there's a "delegation of authority" to the Executive Committee then it does have to be open to public. If the Executive Committee simply just brainstorming idea and not voting on things then it is not a public meeting
- Ms. Falk, and Mr. Turner made a comment that the Chair and Vice Chair should be in the Executive Committee and the Executive Committee should be open to public. The Executive Committee will be consist of 5 people
- Ms. Malone made a comment that she is concerning having a Committee of 5 would be doing a lot of "planning to plan"
- Chair Wilson made a comment that most of CRC related meetings will be open to public. Once the Executive Committee gets to the operational stage where people getting together to draft things up for discussion at full CRC meeting then it does not have to be open to public
- City Attorney made a comment that the Committee need to establish what exactly need to be done at the Executive Committee meeting
- Mr. Young made a suggestion that the Executive Committee should be more of an informal body and not open to public
- Public comments:
  - Unnamed community member made a comment that the Committee should not be worried too much about public meeting laws. If the CRC would like to schedule an executive committee meeting then just send out a week before so people who are interested can attend
  - Mr. Meo made a comment that the executive committee's meeting should be open to the public
  - Mr. Handelman comments:
    - He suggested the Committee look into the COAB executive committee's structure and it should be consist of only 2 people
    - Chair and Vice Chair role should be more specifically defined
    - Protocols Workgroup should be called Protocols Workgroup instead of the Standard of Review
    - There should be a Policy Workgroup Chair position since the Committee could be looking at more than one policy at a time
- Chair Wilson summarized the new proposal:
  - Chair and Vice Chair will both be part of the Executive Committee as well as Workgroups Chairs
  - The Executive Committee will be subjected to standard's Workgroup protocol 5.12
  - Standard of Review Workgroup will change to Policy Workgroup with a standing Chair
  - The Executive Committee will be a public body
- Ms. Ramos asked Chair Wilson if the Directives workgroup is will fall under Policy Workgroup
  - This is something will can discuss later which fits where as we develop our new workgroups
- Ms. Donegan asked Chair Wilson if the Executive Committee will include the Chairs of workgroups
  - Yes
- Mr. Turner made a motion to go forward with this new proposal. This was seconded by Ms. Ford
  - Mr. Turner: YES
  - Ms. Ford: YES
  - Ms. Ramos: YES
  - Chair Wilson: YES

- Ms. Malone: YES
- Ms. Falk: YES
- Mr. Young: YES
- Ms. Donegan: YES
- Mr. Rivera: YES
- Ms. Yarie: YES
- Mr. Turner nominated Mr. Young for the Chair position
- Mr. Young respectfully declined due to his vocal issue not able to talk out loud for a long time
- Ms. Ramos, and Mr. Turner all nominated selves as Chair of the Committee
- Mr. Rivera nominated herself as Chair for the Policy Workgroup. This was seconded by Ms. Malone
  - Mr. Turner: YES
  - Ms. Ford: YES
  - Ms. Ramos: YES
  - Chair Wilson: YES
  - Ms. Malone: YES
  - Ms. Falk: YES
  - Mr. Young: YES
  - Ms. Donegan: YES
  - Mr. Rivera: YES
- Ms. Ford nominated Mr. Rivera for the Chair of Outreach workgroup. This was seconded by Ms. Donegan
  - Mr. Turner: YES
  - Ms. Ford: YES
  - Ms. Ramos: YES
  - Chair Wilson: YES
  - Ms. Malone: YES
  - Ms. Falk: YES
  - Mr. Young: YES
  - Ms. Donegan: YES
  - Mr. Rivera: YES
  - Ms. Yarie: YES
- Ms. Ford nominated Mr. Turner as Chair of the Committee. This was seconded by Mr. Rivera
  - Mr. Young: YES
  - Ms. Ford: YES
  - Mr. Turner: YES
- Ms. Falk nominated Ms. Malone as Chair of the Committee. This was seconded by Ms. Ramos
  - Chair Wilson: YES
  - Ms. Falk: YES
  - Ms. Donegan: YES
  - Mr. Rivera: YES
  - Ms. Malone: YES
  - Ms. Ramos: YES
- Ms. Donegan nominated Ms. Ramos as Vice Chair. This was seconded by Mr. Rivera
  - Chair Wilson: YES
  - Ms. Falk: YES
  - Ms. Donegan: YES
  - Mr. Rivera: YES
  - Ms. Malone: YES
  - Ms. Ramos: YES
- Ms. Ford nominated Mr. Turner as Vice Chair. This was seconded by Chair Wilson.
  - Ms. Ford: YES
  - Mr. Turner: YES
  - Mr. Young: YES

6:30 pm—8:30 pm

**Case File Review/Appeal Hearing: 2015-C-0157/ 2016-X-0002**

On 06/09/15, the Appellant submitted an online complaint regarding an incident that took place on 06/06/15. The Appellant indicated officer A and B used inappropriate control techniques while taking him into custody. The Appellant also alleged that officer B cursed at him.

- IPR Assistant Director Bent-Albert provided a quick summary of the case:
  - IPR received the complaint on June 9, 2015 on an incident happened on June 6, 2015. The case was assigned to IPR Investigator Eric Berry
  - IPR was able to obtain VCAD record and police report regarding the incident
  - Investigator Berry made multiple attempts to contact the appellant but was unable to interview him
- Lt. Hurley asked Chair Wilson how the hearing can proceed without the RU Manager?
  - The Case File Review does not involve the appellant since the Committee is evaluating if there's enough information to go forward with the appeal hearing
- Lt. Hurley asked Chair Wilson if the Appeal Hearing still goes forward if the appellant failed to show up?
  - Yes
- Lt. Hurley gave an IA summary of the case:
  - Officer A and B pulled the appellant over for failing to use turn signal
  - Appellant refused to provide an ID and got out of a vehicle
  - Appellant resisted when both officers tried to take him into custody by pulling his hands back and putting
  - At some point, his father showed up on the scene and provided to the officers with his son's name
  - The officers then released the appellant to his father
  - At no point in time was the appellant complaining about injury. There were no independent information IA can find regarding the officer using inappropriate language
- Ms. Donegan asked Lt. Hurley to elaborate on who did IA interviewed?
  - Both involved officers and three additional witnesses were interviewed
  - The appellant's father was interviewed
  - The appellant was also interviewed. He mentioned there's a video and an additional witness of the incident, but he did not provide the video or the name of the witness
- Mr. Rivera asked Lt. Hurley if IA looked into state law on if a person needs to provide some kind of identification to an officer? Was it included in the investigation?
  - The law required a person to provide some kind of identification to determine who they are during a traffic stop
- Assistant Director Bent-Albert made a comment that the state law on providing identification was also included in the investigation
- Ms. Ford asked Lt. Hurley how many other car's license plates did the officer run through the system that night?
  - I don't have the officer here, but it is part of their job to run plates for stolen vehicles. It is something that an officer does frequently during their shift
- Ms. Ford made a comment based on reading the transcript, it seems that officers followed the appellant and wait for him to make a traffic infraction
- Director Bent-Albert made a comment that in the police report, one of the officers observed the appellant stopped at the light for 30 seconds and he thought the appellant was impaired
- Ms. Ford asked Lt. Hurley why did the IA Investigator ask the appellant if he was using drugs?
  - From training and experience, when someone is intoxicated has the tendency to stop at the light for too long because they are not paying attention. The IA Investigator might've noticed that this was the first thing the officers notice in the beginning so he was just asking the appellant just to clarify things
- Ms. Ramos made a comment to Lt. Hurley according to the transcript there were some thoughts of something that happened in the particular vehicle and that raised their suspicion
  - Yes, they were aware that there was a recent DUI incident associated with the vehicle
- Ms. Falk asked Assistant Director Bent-Albert about the change in the allegation during the investigation?
  - When we conducted our intake the only thing we had was the written complaint statement. When we referred it over to IA, it was changed to make it more reflected to what the appellant's complaint

- Mr. Young asked Investigator Berry if it was true that IPR did not receive cooperation from the appellant?
  - I made a phone call to him on the 9<sup>th</sup> and left a voice mail message. He called me back and left me a message the same day. He then called me again 2 days later. I sent him an email that day and also tried to call him again before the case was sent to IA. I had the impression that he was initially responsive, but I was not able to connect with him
- Mr. Young made a comment that the allegations in this case did reflected the appellant’s concerns. IPR should still look into the allegation revamping process since they are the one who create the allegations
- Lt. Hurley made a comment that when IPR received a complaint, they created allegations that best reflected the complaint with the information they had. A lot of time they only get to talk to the complainant once. The investigation then being forwarded to IA for investigation. I’ve made it very clear with the Investigators that I believe the allegations should morph with the investigation. IA might change the allegations as investigation progress. A lot of time, IPR did not have enough information to form an allegation
- Lt. Hurley also made a comment that IA Investigator did contact the appellant for additional witness, and video evidence, but the appellant was unable to provide those information
- Ms. Donegan made a comment that everyone did a good job trying to contact the appellant. In terms of the case file review, the investigation is complete
- Mr. Young made a comment that RU did a great job on elaborating on his findings
- Mr. Handelman comments:
  - IA did not read the answer to CRC questions
  - In the Case Summary, the officer said the appellant accused him of being racist why isn’t this issue being investigator?
  - Why did an IA Investigator follow up with the appellant instead of IPR?
- Investigator Berry made a comment that after the appellant submitted the appeal request, he did asked the appellant about video footage of the incident, but he indicated that he is in the process of finding an attorney and he will not provide that footage. Regarding the racial profiling, in the appellant’s initial written complaint, he did not address that issue
- Ms. Ford made a comment to Lt. Hurley that prior to the appellant lingering at the 4-ways stop, the officers had already ran his plate. Why the officer ran his plate in the first place?
  - If you are asking about the issue of racial profiling. It was not addressed in the complaint that’s why the IA Investigator did not look into that issue
- Mr. Turner made a comment that the Committee should look into the current allegations and not going down the road of adding more allegations. The officers are on 10-hours shift. They run plates on everybody
- Mr. Rivera made a comment that its more of a profiling of a vehicle than a racial profiling
- Ms. Ramos made the motion to move forward with the appeal hearing. This was seconded by Mr. Rivera
  - Mr. Rivera: YES
  - Ms. Malone: YES
  - Ms. Falk: YES
  - Ms. Ramos: YES
  - Chair Wilson: YES
  - Mr. Young: YES
  - Ms. Donegan: YES
  - Ms. Ford: YES
  - Mr. Turner: YES

8:30 pm—8:45 pm    **New Business**

- Ms. Donegan made a comment that she will be out on maternity leave until May

8:45 pm—9:00 pm    **Old Business**

9:00 pm—9:25 pm    **Workgroup Updates: Please provide the following information —**

- 1) Brief summary of the goals and objectives of your workgroup

- 2) Date of last meeting
- 3) Brief summary of the work done at your last meeting
- 4) Next scheduled meeting
- 5) Main topic to be discussed/addressed at the next meeting
- 6) Any assistance from IPR or CRC needed to achieve your goals

## ACTIVE WORKGROUPS

### 1. Outreach Workgroup (5 min.)

**MISSION STATEMENT:** The Outreach Workgroup engages the community to raise awareness about the Citizen Review Committee (CRC), gather concerns about police services and accountability, and identify issues for the CRC to address.

Chair: Vacant / Members: Mae Wilson, and Julie Ramos  
IPR staff: Irene Konev, Community Outreach Coordinator

### 2. Directive Workgroup (5 min.)

**MISSION STATEMENT:** The Directive Workgroup reviews bureau directives open for public comment and submits public comment to the bureau.

Chair: Bridget Donegan / Members:  
IPR staff: Constantin Severe, IPR Director

### 3. Recurring Audit (5 min.)

**MISSION STATEMENT:** The Recurring Audit Workgroup seeks to improve accountability of IPR and the Portland Police Bureau by reviewing closed cases to ensure procedures, policies and protocols are followed and will recommend improvements, if necessary.

Chair: Mae Wilson / Members: Vanessa Yarie, Jeff Bissonnette  
IPR staff: Derek Reinke, Senior Management Analyst

### 4. Standard of Review (5 min.)

**MISSION STATEMENT:** The Standard of Review Workgroup examines CRC jurisdiction and the standard of review and recommends action to the CRC

Chair: Julie Falk / Members: Kiosha Ford, Roberto Rivera, Kristin Malone, and James Young

### 5. Use of Deadly Force Workgroup (5 min.)

**MISSION STATEMENT:** The Use of Deadly Force Workgroup examines Portland Police Bureau use of deadly force policies, directives, training and implementation in order to recommend and support any needed change in Portland Police Bureau use of deadly force.

Chair: David Denecke / Members: James Young  
IPR Staff: Derek Reinke, Senior Management Analyst

9:25 pm—9:50 pm      Public comment and wrap-up comments by CRC members

- Ms. Hannon made a comment that it is hard to hear people talk. She also made a comment that should get feedbacks from the homeless community not the service provider
- Ms. Ross made a comment that the Committee should read the newest OIR Report
- Mr. Handelman made a comment that CopWatch sent out a correction on the OIR Report. He encourage the Committee to speak about the report. He suggested the Committee recruit PRB members to assist with reviewing cases

8:30 PM

Adjournment

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A request for an interpreter or assisted listening device for the hearing impaired or for other accommodations for persons with disabilities should be made prior to the meeting—please call the IPR main line 823-0146 (or TYY 503-823-6868).

Visit the website for more information regarding the Independent Police Review division, Citizen Review Committee, protocols, CRC meeting schedules, and approved minutes: [www.portlandoregon.gov/auditor/ipr](http://www.portlandoregon.gov/auditor/ipr).

**CRC Members:**

1. If you know you will not be able to attend a CRC meeting or that you will be missing a significant amount of a meeting, please call or e-mail IPR in advance so that the CRC Chair may be made aware of your expected absence.
2. After this meeting, please return your folder so IPR staff can use it for document distribution at the next CRC meeting.

*\*Note: agenda item(s) as well as the meeting date, time, or location may be subject to change.*