

CITIZEN REVIEW COMMITTEE

Community Oversight of Portland Police Bureau

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CRC Statement Concerning Proposed Changes to the Appeal Process

The CRC opposes the proposed changes to the appeal process because the proposal (1) decreases transparency and public access to the complaint and appeal process; (2) increases the potential for intimidation of citizen complainants and volunteers; and (3) eliminates the sole all-civilian police accountability body in the City of Portland. The CRC demands that City Council postpone the September 7 vote on the current proposal until a proposal is generated that incorporates input from the CRC, the COAB, and other stakeholders.

The proposal under consideration is poorly understood, even by its drafters, and is therefore not clear to the CRC. However, the “Consolidated Review Board” model is said to require that appeals be conducted in non-public meetings. The CRC unequivocally opposes a model that eliminates the current level of public access to appeals. Much of the same discussion and deliberation occurs in CRC and PRB meetings, but only the latter are currently held in private. The CRC supports a model that retains those features of CRC meetings that enable them to be held in public.

The “consolidated” model also provides that complainants will be able to make a statement during meetings of the consolidated board. However, they will be forced to testify in a room full of uniformed officers. The new model will also require CRC members to conduct their deliberations in the same context, and without community support. The CRC feels that this could have a chilling effect on community complaints as well as CRC criticism of bureau practices.

Moreover, the “enhanced participation” envisioned for the CRC in the consolidated model would only feature the participation of a one or two CRC members per hearing. This eliminates the rich diversity of the CRC, which has been prioritized by the city in recruitment and retention for years.

Further this proposal fails to analyze or address the problems related to the timeliness of appeals. The CRC has not seen any analysis of the factors contributing to the delays in our process. As a result, the CRC lacks confidence that use of the Consolidated Model would produce significant time savings. Of the various factors contributing to delays in the processing of appeals, the CRC’s all-citizen public meetings are unfairly singled out and eliminated at the expense of public benefit. The CRC believes that better options are available to address issues related to timeliness.

The CRC is encouraged that the focus group proposed changes that would permit the committee to apply a “preponderance of the evidence” standard-of-review and to hear appeals related to officer involved shootings and in custody deaths. The CRC has been pursuing these important changes to the citizen review process for some time. However, the CRC’s position is that these gains would not make up for the severe losses to the community inherent in the current proposal. Nevertheless, these changes to the CRC’s standard of review and scope of authority should be incorporated to any changes to the appeal process that are seriously considered by City Council.

The timing of these changes has afforded a very limited opportunity for meaningful input from the public or the CRC, which only became aware of the current proposal on July 6, 2016. The CRC demands that more thought, analysis, and discussion be devoted to developing a model that preserves public access to citizen appeals while streamlining this process. Lastly, the intent of the CRC is to provide a forum for transparency into the City's handling of citizen complaints.