



# 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, July 6, 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: Kristin Malone, Julie Falk, Roberto Rivera, Michael Luna, Julie Ramos, John Brooks, Erica Hurley, Bryan Parman, Constantin Severe, Deidre Perez, Eric Berry, Lauren King, Herschel and Celeste Soles, Kalei and Ted Luyben, Pamela Fitzimmons, Carol Cushman, Joe Pugh, Kathy Houle, Mary Eng, Debbie Aiona, David Davis, Jeff Bissonnette, Daniele, Laura Orr, Robert West, Joe Pugh

## AGENDA

5:30 pm—5:45 pm Introductions and Welcome (CRC Chair Kristin Malone)  
[Approved of June 1, 2016 meeting minutes](#)

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

- A recruitment process is open to hire a new IPR complaint investigator. Applications accepted until July 11, 2016. The City Auditor announced the recruitment of community members to serve on the Police Review Board. The Board makes recommendations to the Chief regarding findings and discipline and may make recommendations regarding adequacy and completeness of an investigation. Application deadline is Thursday July 14, 2016.

- The Citizen Review Committee recruitment ended on June 2<sup>nd</sup>, and IPR received eighteen CRC applications from highly qualified applicants to fill three open positions. Twelve applicants were invited for interviews.
- IPR Community Outreach Coordinator Irene Konev has connected with many organization and community leaders to promote the PRB recruitment, Ads have been placed online and in community spaces and applications are being submitted. There are twenty open volunteer positions for the PRB. After serving on Metro Equity Strategy Advisory Committee for over two years, Ms. Konev and the Committee presented the final report to the community and Metro Councilors. The Strategic Plan to Advance Racial Equity, Diversity and Inclusion was adopted by Metro Council in June.

6:00 pm – 6:15 pm Chair's Report (CRC Chair Kristin Malone)

- Met with IPR and PPB staff regarding security at CRC meeting

6:15 pm—7:45 pm **Appeal Hearing: 2014-C-0347/ 2015-X-0004**

On November 29th, 2014, one of several demonstrations occurred in response to the grand jury decision in Ferguson, Missouri. Protesters gathered and traveled through several Downtown Portland locations, including SW 3rd Avenue between Main and Madison, eventually to SW 6th and Morrison and SW 2nd and Main Street. At SW 2nd and Main Street, the PPB Sound Truck informed protestors that they were all under arrest. Some protestors were taken into custody and the remaining people were dispersed from the location.

- Director Severe provided IPR side of the investigation:
  - Investigator Berry, and Perez conducted the re-investigation of the case and there were 2 allegations added for Commander B and Sergeant A
  - People who were re-interviewed are: The Appellant, Sergeant A, Commander B, Sergeant E and Captain F as well as witness 1 who is a law profession at Lewis and Clark

- The Appellant stated during her re-interview with IPR that she had participated in a “die in” on November 29, 2014 where several demonstrators were gathering in the intersection of 2<sup>nd</sup> and Main. She was there for like 5 minutes and then she was surrounded by police officers and told that she and other people were under arrest. People who participated in the “die in” were held between 30 and 45 minutes
- Witness 1 who is a law school profession explained to IPR the differences between an arrest and a detention
- Sergeant A is an operation Sergeant during the protest. He operated under incident command system under Commander B. His particular task was providing direction to the Sergeants which in turn, providing direction to individual squad of officers
- There was a discussion of using the box-in technique before it happened. Commanded B authorized the use of the technique.
- Sergeant A thought that the use of the Box-in technique is within Bureau’s policy
- Sergeant E recalled the LRAD being used. He estimated a quarter to half of the protestors left after the warning was given. He also mentioned his squad moving from the south side to the west side of Central Precinct
- Sergeant E articulated the individuals that they were given authorization to be taking into custody. They were looking for people who were involved in the protest throughout the night and was specifically given the warning not the people who just being caught up to the protest
- Captain F is a member of the Rapid Response Team (RRT). He stated RRT had been provided with some training on the box-in technique. It has been used previously to safely remove police officers
- Commander B authorized the use of the box-in technique to detain people on the street. The purpose of the announcement about everyone is under arrest is to help determine who is who, if there’s somebody who is not supposed to be there
- Commander B stated during her interview that she thought she had the authority to make those arrests
- Appellant’s representative made some comments on behalf of the Appellant:
  - What is a relevant of interviewing a law professor making a determination of a constitutional matter?
  - Was there any third party looking into the constitutionality of the arrest?
  - Was constitutional matter looked at during the re-investigation process?
- Chair Malone made a comment this is more of a factual statement of the Appellant on her side of the story
- Appellant made a comment that she is uncomfortable making a statement without support from a legal advisor and requested that the Committee delay the appeal hearing
- Director Severe made a comment he also doesn’t feel comfortable moving forward with the appeal since the Appellant is not comfortable moving forward and suggested the Committee to move this appeal to next month’s meeting
- Chair Malone asked Director Severe if there’s a possibility for IPR to appoint an attorney for the Appellant as she requested?
  - This is an administrative process. Everything that we do is guided by City codes. We don’t have the ability to give anyone an attorney. We do provide the Appellant with an Appeal Process Advisor and phone number to a NLG law school student advocate that can assist her with the whole process. Ms. Raiford made a request for the DOJ to be notified and I did notified them
- Public comments:
  - Mr. Handelman made a suggestion for the Committee should delay the hearing so the Appellant have enough time to review the case file summary
  - The hearing should be delayed so the Appellant can have a legal advisor and victim impact statement
  - Mr. Kif-Davis made a comment that he was one of the protestors who got arrested that night. He would like to know why IPR did not make effort to contact all of the people who got arrested that night
  - Unnamed community made urged the Committee to postpone the meeting
- Chair Malone made a motion to postpone the meeting to August 3, 2016 CRC meeting. This was seconded by Mr. Rivera
  - Chair Malone: YES
  - Vice Chair Ramos: YES
  - Mr. Luna: YES
  - Ms. Falk: YES

- Mr. Rivera: YES

7:45 pm—7:50 pm Break

7:50 pm – 8:05 pm Old Business

1) Protocol Changes to 5.22

- Several Committee could not agree on the structure of the Executive Committee. Chair Malone proposed to leave the protocol as it currently being written and it was supported by the whole Committee
- Chair Malone would like to conduct a quarterly CRC meeting between the Chair, Vice Chair, and Chair of the Workgroups

8:05 pm – 8:15 pm Workgroup Updates

## 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. Following up with appellants and others community requests will supplement current work group tasks. Additionally, outreach committee members will serve as point for ongoing communications with IPR, the City, the Bureau, community members and/or act as the face of CRC.

Chair: Mae Pfeil/ Members: Michael Luna, and Julie R. Ramos

IPR staff: Irene Konev, Community Outreach Coordinator

- The Workgroup met with a member of the Training Advisory Council.
- The Workgroup is looking into the possibility of revising the current mission statement

2. 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 Pfeil/ Members: Vanessa Yarie, Bridget Donegan, and Jeff Bissonnette

- Ms. Donegan made a request to Director Severe to provide the Workgroup with 40 dismiss cases

3. Policy and Protocols (5 min.)

**MISSION STATEMENT:** The Policy and Protocols Workgroup examines CRC jurisdiction and the standard of review and recommends action to the CRC. Additionally, the workgroup will review community letters/input on policy issues and police bureau issues and present findings to full CRC.

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

- The Workgroup will try and meet in August

8:00 pm—8:15 pm Public comment and wrap-up comments by CRC members

- Mr. Denecke made a comment that the Use of Deadly Force Workgroup submitted a draft report awhile back. The Workgroup's report currently have several proposals:
  - CRC members being able to review Officers involved shooting cases
  - Change the Standard of Review
  - Adopt Use of Force Directive to incorporate de-escalation, and disengagement policy in training
- Mr. Handelman comments:
  - The Use of Deadly Force wasn't voted on in front of the Committee
  - Committee can ask to have a case sent back for additional investigation

- In the Director's Report the type of cases are being reviewed by IPR should be listed.

8:00 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.*