



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 1, 2017 (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 5th Ave. Portland, OR 97204

Present: Kristin Malone, Julie Ramos, Michael Luna, Jim Young, Roberto Rivera, Vanessa Yarie, Julie Falk, Marisea Rivera, Andrea Chiller, Kiosha Ford, Philip Wolfe, Jeff Bell, Constantin Severe, Hershel Soles, Daniel Schwartz, Carol Cushman, Debbie Aiona, Jonny Gersten, Natalie Banning, Crystal Elinski, Barry Joe Stull, Lightning, Robert West,

AGENDA

5:30 pm—5:35 pm Introductions and Welcome (CRC Chair Kristin Malone)
(Approval of October 26, 2016, December 7, 2016 and January 4, 2017 Meeting Minutes)

- October 26, 2016 is approved
- Director Severe will look into issues related to approval of minutes. The members present and voting did not constitute a majority because so few CRC members attended the December meeting, so the majority of CRC members present at the current meeting abstained, potentially defeating the motion to approve.

5:35 pm – 5:45 pm Director's Report (IPR Director Constantin Severe)

- Vice Chair Ramos made a comment she would like more detail in the community outreach section of the Director's Report instead of just the names of the events
- Chair Malone asked Director Severe if he can share any process/strategy IPR is currently working on to deal with protest cases.
 - Director Severe responded that IPR is mainly gathering and managing information. The effort right now is on maintaining a place to store policy concerns that the community has and then retrieve them later.
- Vice Chair Ramos asked Director Severe if he is able to talk about some policy issues from the community.
 - Director Severe listed as examples:
 - Should officers wear riot gear?
 - Should officers use riot control devices: flash bangs, rubber bullets?
 - Use of force issues.
 - Director Severe said that a number of these concerns came up during the CRC Crowd Control Workgroup back in 2014 era, post Michael Brown protests.
- Chair Malone asked Director Severe whether issues that IPR is not able to look at will be forwarded to other people to review.
 - Director Severe said that there are things that IPR can do and things that IPR and CRC can do.
- Mr. Rivera asked Director Severe if current Bureau Directives apply to outside agencies who assisted Portland Police at protest events
 - Director Severe responded that they do not.
- Ms. Falk asked Director Severe what kind of resources outside agencies provide.
 - Director Severe stated that, in prior protests Portland Police requested assistance from outside agencies when events were too large. There is an agreement that the Bureau will assist with other agencies as well.
- Ms. Ford asked Director Severe if IPR will be in charge of investigating these protest cases.
 - Per Director Severe, IPR will conduct an independent investigation on protest cases
- Chair Ramos asked Director Severe if CRC can give input on the policy reviews.
 - Director Severe noted that whenever IPR is doing a policy review it will be public and people will be able to weigh in on these
- Chair Malone made a comment that she would like IPR to provide an update on any policy reviews in future Director's Reports
- Chair Malone asked Director Severe how many appeals are we currently still pending.

- Director Severe responded that the appeal that CRC is supposed to hear tonight will be moved to March's CRC meeting. Regarding the other appeal that CRC sent back for an additional investigation so that 2 witnesses can be interviewed, IPR managed to interview one witness and he stated that he did not see anything. IPR will interview the other witness and if there's new evidence, then the case will have to be sent back to the Bureau for new findings.
- Ms. Falk asked Director Severe about IPR Code Changes.
 - Council hearing for Code Changes will be on March 9
- Mr. Handelman made some comments:
 - Crowd Control Directive is up for public comment.
 - Mr. Reinke did a report about intergovernmental agreements between Portland Police and other agencies
- Ms. Hannon made a comment that she is concerned about the comparison between January 20 and January 21 protest. At the protest on the 20th, it was unpermitted and it seems like the police assumed these people were bad while the march on the 21st had a permit and police responded differently.
- Mr. Wolfe made some comments:
 - Portland police should be accountable for other agency officers who assist them on protest events
 - CRC usually has a meeting on Wednesday, but the last meeting was on Thursday, the same night as the COAB meeting.
- Ms. Aiona made a comment that the Director's Report should capture IPR's work related to protests as well as policy reviews. There should be more description on independent cases.
- Mr. West made a comment the incident commander should be held accountable for ordering officers to launch tear gas and pepper spray at protestors.
- Mr. Lightning wanted to know who is paying overtime for these outside agency officers and if they are using their own equipment.
- Mr. Soles commented that it seems like the police think it's their job to take the steam out of protestors by making selective arrests. It is the police's job to help facilitate protests, not to tell people where to go.
- An unnamed community member asked Director Severe if IPR only investigates protest cases that involve officers ranked Captain or higher.
 - Director Severe clarified that IPR (as opposed to IA) investigates all protest cases and cases involving a Captain or higher.

5:45 pm—6:00 pm Chair's Report (CRC Chair Kristin Malone)

6:00 pm – 6:30 pm New/Old Business

1) COAB

- Mr. Wolfe made a comment that the COAB met with the Mayor recently and they had a conversation about the possibility of extending the term of COAB. He also submitted an open letter to the City. The board had made over 100 recommendations to the City.
- Mr. Luna asked Mr. Wolfe why the COAB is closed.
 - The COAB was only supposed to last for 2 years.
- Vice Chair Ramos asked Mr. Wolfe how many of those recommendations got approved by the City. She also asked whether the COAB has enough members to go forward.
 - Mr. Wolfe said that only 1 recommendation had been adopted so far. The COAB needs to have 8 members to vote, and currently only has 6. The City did not fulfill its obligation fill the vacancies.
- Chair Malone asked Mr. Wolfe if there's anything the CRC can do to help revive COAB?
 - Mr. Wolfe said he is still negotiating with the DOJ to see if the COAB can be reinstated. He would like to see the CRC to follow through on the COAB's recommendations to see what is happening to them.
- Ms. Falk asked Mr. Wolfe who has the power to reinstate the COAB?
 - Mr. Wolfe said the power rests with the DOJ.
- Ms. Chiller asked Mr. Wolfe if the recommendations are available for the public.
 - Mr. Wolfe stated that recommendations are on the COAB website, which was still live, to his knowledge.
- Mr. Luna and Mr. Young invited Mr. Wolfe to the Crowd Control workgroup meeting.

2) CRC Retreat

- Chair Malone would like to have a half-day retreat some time in March. Committee members will be sending agenda items to Chair Malone and she will compile everything and the Committee will finalize the agenda at the March's CRC meeting.
- Mr. Young asked that the Committee to look into the intergovernmental agreement between PPB and other agencies to see how things are set up and what is the chain of command while multiple agencies are involved.
- Mr. Rivera asked if any Committee members witnessed the way crowd control is being enforced by PPB.
- Chair Malone made a comment she observed police interaction with protestors outside her office on the day City Council approved the Union Contract.

3) Citizen Academy

- Director Severe made a comment that IPR is currently working with the Bureau to provide CRC members this training. It usually happens on the weekend. This is a very resource intensive training and requires a lot of coordination.
- CRC members expressed interest in attending the academy.
- CRC members who had previously attended encouraged new members to attend the academy.
- CRC members suggested various constituencies that might fill out a group to make holding the academy cost-effective.

4) Delay of appeal on case 2016-C-0090

- Director Severe apologized to the Committee members for the delay. The issue was there were several videos related to the case that the RU Manager reviewed and they were not included in the USB drive.

6:30 pm—6:55 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. 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 / Members: Michael Luna, Neil Simon, and Julie R. Ramos

IPR staff: Irene Konev, Community Outreach Coordinator

- Mr. Simon was able to compile a list of CRC members who are assigned to various organizations.
- Mr. Luna will help draft a script for CRC members to introduce themselves.

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 / Members: Vanessa Yarie, Bridget Donegan, and Jeff Bissonnette

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 Standard of Review will be discussed at the retreat.

4. Crowd Control Workgroup (5 min.)

MISSION STATEMENT: The Crowd Control Workgroup examines existing crowd control policies, training, and tactics of the Portland Police Bureau, reviews crowd control best practices, legal standards and other information, and makes appropriate recommendations.

Chair /Members: Michael Luna

- Mr. Luna would like to recruit some volunteers to meet and look at the draft of the current crowd control directive. He will check with Captain Krantz regarding to deadline to submit comments so the workgroup can meet to discuss the draft.
- Mr. Luna said that the Committee should discuss whether to keep this workgroup running after submitting comments to the Bureau.

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: Rochelle Silver, James Young

- The Committee will look at the revised draft Mr. Denecke sent out and make sure that the changes are consistent with what the Committee voted.

6:55 pm —7:15 pm Public comment and wrap-up comments by CRC members

- Mr. Lightning made a comment the Committee should look into the Intergovernmental agreement to see if the City reimburses other agencies back for their overtime cost.
- Mr. Stull made a comment that he would like to join the CRC, but he will be disqualified due to his criminal conviction.
- Ms. Elinski made a comment that she would like to apply for the CRC. She also made a comment that she was harassed by G4S security officers.
- Ms. Hannon urged the Committee to attend an unpermitted protest.
- Mr. Handelman made several comments:
 - Mr. Reinke, a former IPR staff member did a report on the Intergovernmental Agreement
 - There's a final stakeholder workgroup report posted online.
 - COAB members were not reappointed because the City claimed there's no mechanism to do it
 - PRB members should also participate in the citizen academy training.
- Mr. Wolfe made a comment that the citizen academy only shows people what the police bureau is good at.
- Mr. West urged the Committee to do what they can to get the COAB up and running again.

7:45 pm

Adjournment

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.

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.*