



Date: March 7, 2017

To: Captain Jeffrey Bell
Portland Police Bureau, Professional Standards Division

From: Rachel Mortimer
City of Portland Auditor's Officer, Independent Police Review

RE: Case 2016-B-0030

I was assigned late last week to review this case as I have remained uninvolved with this investigation up until this point. Director Severe asked that I review the investigation and findings with fresh eyes for the case, applying the same review standards as I would for any other case, looking for thoroughness, fairness and accuracy. I am signing off on the findings sheet and will attend the Police Review Board and vote on behalf of IPR.

I do want to note that I disagree with AC Wagenknecht on the findings he made for allegations 1-4. I would make a finding of "Not Sustained" for each of these. I believe Unfounded is not accurate as these allegations were based on real facts and concerns. Per Portland Police Bureau Directive 335.00 the definition for an Unfounded finding is "The allegation was false or devoid of fact or there was not a credible basis for a possible violation of policy or procedure." None of the Assistant Chiefs took any further action on this at all, and given what they knew and what the directives require, I agree that none of them should be Sustained on this case. I am not controverting as the practical effect of the difference between these findings is negligible.

For the final allegation, I agree that it should be Sustained, but I am concerned that the Captain will be made to carry the full burden of this case. He should have spotted this as a case requiring notification, but he was not served well by the way he was notified or the structure of the current system. This can be discussed further at the PRB.

I urge the Bureau to consider and respond to the recommendations made by Director Severe in his January 30, 2017 memo as required. Further, I am making one additional recommendation and would like this included in the response. I recommend that notifications be made in writing in addition to any verbal notification that is made so that there is a clear paper trail and intent is clear to all parties. This could be as simple as a follow-up email with the word "notice" in the subject line.



City of Portland

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