



# 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, January 3, 2018 (meetings are typically held the first Wednesday of each month)

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

Location: **Lovejoy Room, Portland City Hall**. 1221 SW 4<sup>th</sup> Ave. Portland, OR 97204

Present: Neil Simon, Kristin Malone, Daniel Schwartz, Andrea Chiller, Julie Falk, Candace Avalos, Constantin Severe, Kelsey Lloyd, Irene Konev, Jeff Bell, Dan Handelman, Carol Cushman

## AGENDA

5:30 pm—5:35 pm Introductions and Welcome (CRC Chair Kristin Malone)  
(Approved of December 6, 2017 meeting minutes)

5:35 pm – 5:40 pm Director's Report (IPR Director Constantin Severe)

- Chair Malone asked Director Severe if it is possible to get one of the new CRC alternates appointed to replace Ms. Rivera, who recently resigned.
  - Director Severe confirmed that this would be an option.
- In response to Director Severe's report that City Council had authorized the funding for two new investigator positions, Chair Malone asked Director Severe if IPR had considered requesting funding for another staff member to support the Committee. Chair Malone recalled that IPR's opposition to expanding the size of CRC, as recommended by the majority of participants during the 2016 stakeholder group meetings, was based on IPR's representation that it did not have the staff to support the change.
  - Director Severe said that generally, Bureaus are not allowed to add additional positions during the BuMP process. The reason why IPR was able to get these positions was because the investigators' work is directly tied to the settlement agreement. Regarding the point of having appeal panels, IPR would be able to work with the Police Bureau and CRC to make it happen. IPR's limitation had to do with the increasing number of CRC members.
- Chair Malone responded to Director Severe the work of the CRC is also related to the settlement agreement and the expansion of the CRC is for an additional 4 members. She encouraged Director Severe to make that request for an additional CRC support staff at the next budget cycle.
  - Director Severe said he would forward your suggestion to the Auditor.
- Ms. Falk asked Director Severe what would happen if no CRC members were available to attend a PRB meeting.
  - Director Severe responded that the way code is written, there must be a CRC member in force cases. If no CRC members were available to attend a scheduled force-related PRB hearing, the hearing would not go forward.
- Chair Malone asked Captain Bell if there's a possibility of holding PRB meeting in the evenings or on weekends if the Bureau keeps having issues getting CRC members to attend a PRB meeting since all PRB meetings are currently held in the middle of a day.
  - Captain Bell said that the Bureau can look into the suggestion, but that he does not know if it would be feasible.
- Mr. Simon made a comment he found the PRB process to be positive since there's a lot of resources available. If there's a question that comes up during review of a case file, it is often possible to find the investigator in charge of the case, who can immediately answer the question.
- Mr. Schwartz asked Captain Bell if a person can come and review the case file after hours.

- Captain Bell responded that the Bureau has made this possible in the past.
- Ms. Falk asked Captain Bell what day of the week PRB meetings are usually scheduled for.
  - Captain Bell said they are usually scheduled for Monday, Wednesday, and Thursday. Thursday is all day and Wednesday is only in the afternoon.

5:40 pm – 5:45 pm Chair’s Report (CRC Chair Kristin Malone)

- Chair Malone received an email from the Appellant over the weekend regarding his intention to withdraw the appeal that was supposed to happen at tonight’s meeting.
- Chair Malone thanked Ms. Rivera for her service to the Committee.
- Mr. Luna emailed Chair Malone stating that he would like to resign from being the Chair of Crowd Control Workgroup.
- Chair Malone participated in a PRB. She found the process very difficult since she feels that command staff was very resistant to her requests to discuss aspects of the case.
- Chair Malone had a phone call with a representative from PBS regarding the CRC’s potential participation in a screening of a documentary about the militarization of the police. Due to CRC’s position as a neutral body, Chair Malone referred PBS to other organizations that might be interested in sponsoring the screening.
- Chair Malone fielded requests for comment from the Mercury and Fox 12 regarding the last month’s appeal.
- Chair Malone asked Captain Bell about the status of case 2016-C-0407
  - Captain Bell said CRC should expect a response fairly soon.
- Chair Malone has upcoming meetings with Mayor Wheeler and Chief Outlaw.
- Chair Malone asked Captain Bell about the status of case 2016-C-0414.
  - Captain Bell said the case is currently out for findings right now.
- Mr. Simon asked Chair Malone if any of the Committee members are joining her in those meetings.
  - Chair Malone said that the Vice Chair has historically attended these meetings and that she is looking forward to the election of a new CRC member to fill that role.
- Chair Malone will also meet with Ms. Mortimer from IPR to brainstorm ways to better support volunteers.

5:45 pm – 6:00 pm Election of CRC Vice Chair and CRC Recorder (CRC Chair Kristin Malone)

- Mr. Simon nominated Mr. Schwartz for Vice Chair.
- Ms. Falk nominated Ms. Avalos for Vice Chair.
- Mr. Simon made a motion to affirmed Ms. Falk’s nomination of Ms. Avalos as Vice Chair. This was second by Chair Malone:
  - Mr. Simon: YES
  - Ms. Falk: YES
  - Ms. Avalos: YES
  - Chair Malone: YES
  - Mr. Schwartz: YES
  - Ms. Chiller: YES
- Mr. Schwartz nominated himself to be a Recorder.
- Chair Malone made a motion to affirm Mr. Schwartz’s nomination. as Recorder This was seconded by Mr. Simon:
  - Mr. Simon: YES
  - Ms. Falk: YES
  - Ms. Avalos: YES
  - Chair Malone: YES
  - Mr. Schwartz: YES
  - Ms. Chiller: YES
- Mr. Handelman made a comment the Recorder should be keeping track of “parking lot” issues. The Recorder should also ensure that the CRC website is updated.

6:00 pm – 6:10 pm New/Old CRC Business

1. Reviewing case files:
  - The Committee had a discussion on effective ways to review a case file. Some of the appeal cases contain a large amount of videos and it can be very time consuming to review all of them. Mr. Simon

wondered if there is a way to reference the timestamps in the case file summary so people can quickly identify the part of the video referenced in the summary without going through the entire video.

- Director Severe said that if a Committee member has trouble reviewing any part of the case file, IPR can help provide more context into the investigation.
- Mr. Schwartz asked Director Severe if IPR includes all the videos they receive from community members on a case.
  - Director Severe said that IPR eliminates irrelevant videos. For example, in the appeal related to the clearing of City Hall following the PPA contract approval, IPR had 3 or 4 times amount of videos as were ultimately included in the case file. IPR generally tries to highlight the most relevant part of the video in the investigative report. If CRC members find it difficult to figure out what to look for due to a large amount of video evidence, IPR can sit down and provide a little bit more context into the investigation.
- Ms. Falk said that it would be great if the Committee was given a heads-up on the total hours of videos in a case so that they could better plan their review.
- Chair Malone made a comment to Director Severe that it would be helpful if IA and IPR investigators used fewer leading questions and refrained from talking over interviewees.
- Director Severe asked that Committee members raise these issues while reviewing a particular case so IPR can address the issues with the investigator who conducted the interview.
- Ms. Avalos noted that she was having trouble reviewing videos for the recently-cancelled appeal due to the file format. She is wondering if there's a way for IPR to convert those videos in a format that anyone can view.

2. Member retention:

- The Committee had a discussion on retention of CRC members. The Committee discussed how to best support each other especially people who have young kids.
- Mr. Schwartz, Mr. Simon, and Chair Malone made a comment they would be more than happy to mentor new CRC members.

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- Ms. Avalos made a comment she is willing to volunteer to spend time looking into improving the new CRC member on-boarding process.
- The Committee agreed on having each current member mentor incoming CRC members on a rotating basis.

6:10 pm—6:35 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: Neil Simon, Candace Avalos and Roberto Rivera

IPR staff: Irene Konev, Community Outreach Coordinator

- Mr. Simon met with a PCC board member in mid-December to try and get PCC students/faculty to be involved in CRC's work.
- Mr. Simon will try to follow up with one of the high schools whose teacher contacted him in November to see if the CRC can come talk to the students during lunch hours or invite them to one of the CRC meetings.
- Ms. Avalos said that she would like to get PSU involved as well.

### 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, Daniel Schwartz and Jeff Bissonnette

- A report is currently being written and will be presented to the Committee once it has been completed.
- Chair Malone will email Ms. Yarie to get an update.

### 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: Daniel Schwartz / Members: Julie Falk, Kristin Malone and Andrea Chiller

- Mr. Schwartz met with Commissioner Fritz regarding the standard of review. Commissioner Fritz made a suggestion for the CRC to reach out to other Commissioners. Commissioner Fritz also suggested that CRC submit the proposal to change the standard of review to Council so it would be in the record.

- Mr. Schwartz spoke to Chair Malone about his conversation with Commissioner Fritz and was informed that Commissioner Fish also expressed tentative support for the proposal.
- Ms. Falk made a comment she and Ms. Ford met with Commissioner Eudaly and she also expressed tentative support for the proposal.
- Mr. Schwartz is hoping to have a workgroup meeting some time toward the end of January.

#### 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: Michael Luna /Members: Candace Avalos

- Ms. Avalos volunteered to be the workgroup's chair.
- Ms. Chiller will join this workgroup.
- Ms. Hannon made a comment she hopes the workgroup meets more regularly.

#### 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, Andrea Chiller, Kristin Malone and James Young

- Ms. Chiller is no longer a part of this workgroup.

6:35 pm —6:45 pm Public comment and wrap-up comments by CRC members

- Mr. Handelman made several comments:
  - The Committee from time to time should have a discussion about other topics that they don't normally talk about during busy appeal hearings.
  - IPR mentioned the need to have more staff to make formal recommendations, but CRC has a role in making recommendations as well.
  - Copwatch stopped going to the HRC meetings because they stopped talking about police related issues.
  - One way to stop Committee members being burdened with PRB meetings is to get the police to stop shooting people.
  - Training of CRC members used to be public and it would be helpful if IPR can open it up to the public again.
- Mr. Schwartz thanked Captain Bell for attending all CRC meetings.

7:30 pm Adjournment

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*To better serve you, a request for an interpreter or assisted listening device for the hearing impaired or for other accommodations for persons with disabilities should be made three (3) days 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/ipr](http://www.portlandoregon.gov/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.*