



# 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, March 4, 2020 (meetings are typically held the first Wednesday of each month)

Time: 4:00 pm \* *Please Note: agenda times are approximate*

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

Present: Candace Avalos, Andy Chiller, Sylvan Fraser, Vadim Mozyrsky, Julie Falk, Dana Walton-Macaulay, Ross Caldwell, Irene Konev, Regina Hannon, Debbie Aiona, Carol Cushman, Alex Zielinski, Dan Handelman, Sam Bouman

## AGENDA

5:30 pm—5:35 pm Introductions and Welcome (CRC Chair Kristin Malone)  
(Approved of January 8, 2020 meeting minutes)

5:35 pm—5:45 pm Director's Report (IPR Director Ross Caldwell)

- Ms. Falk asked Director Caldwell if he was surprised by the Judge's decision to delay the settlement agreement for another year based on the community engagement aspect?
  - A lot of people were curious on what the judge would do. The community engagement is something that is hard to measure
- Ms. Falk and Acting Chair Avalos asked Director Caldwell if the judge discussed community oversight and the CRC
  - A lot of things came up and the focus was mainly about the PCCEP. When the hearing started the first thing that Judge Simon said was that it is looking like the only thing still being discussed is the community engagement.
- Mr. Mozyrsky made a comment the part of the DOJ settlement agreement that had something to do with the CRC is already in substantial compliance. The only thing now is the PCCEP aspect of the settlement
- Director Caldwell made comment he is not sure if the judge would need to make a finding since everything are in substantial compliance
- Director Caldwell made some comments regarding to the case file review remote access portal:
  - Case file review portal will close 2 days before the CRC appeal hearing.
  - This is a new process due to issue of CRC members reviewing the case file for the first time on the day of
  - CRC members will have 2 days to submit their questions related to case to IPR
- Ms. Falk asked Director Caldwell if the questions are now due on Monday now instead of Friday?
  - If the question is for IA then we would like them as soon as possible
- Ms. Chiller asked Director Caldwell if Committee member can have access to the case file if they would like to double check on things?
  - We can work something out if a Committee member would like to double check on something in the case file
- Ms. Chiller and Mx. Fraser, and Acting Chair Avalos made a comment for IPR to continue monitoring this issue for couple more months and then if this issue arises again then let the Chair know
- Ms. Falk made a comment it would be helpful for IPR to let Committee member know how big the appeal file is.

5:45 pm—5:55 pm Chair's Report (CRC Acting Chair Candace Avalos)

- Acting Chair Avalos read Mr. Schwartz and Ms. Malone's resignation letter

- Ms. Chiller asked in regarding to the case that was highlighted in the Oregonian whether Chief Outlaw's made the change regarding to the finding or the discipline?
- Deputy Director Walton-Macaulay made a comment both CRC, PRB and IPR made a recommended finding the Chief has the ability to change the findings as well as the discipline. Even if she agreed with the finding, she can still change the discipline
- Acting Chair Avalos made a comment the Chief changed the directive from truthfulness to a performance directive. She will bring this up to Mayor during her check in with him
- Ms. Nami asked Director Caldwell if the Chief can circumvent the process by changing the finding even though after she agreed with the CRC?
  - I don't know this is something that happened before my time
- Ms. Chiller asked Director Caldwell why would this appeal process go to the City Council if the Chief can just change the finding?
  - We can map that out and have one of the IA staff explain that to you at the next meeting
- Ms. Falk asked Director Caldwell if IPR tracks why people resigned? She was wondering if people resigned because they feel that they've lost faith in the process
  - No. The retention issue is a problem for a lot of the volunteer boards
- Acting Chair Avalos mad a comment it is good to keep track of why people resigned. how can City of Portland be in incompliance with the DOJ settlement when the board's decision doesn't stick. There's also a retention issue and lack of trust.
- Ms. Chiller made a comment this feels more like the Committee is participating in an accountability theater
- Mx. Fraser made a comment that it seems like there's only accountability when someone wants it to be
- Acting Chair Avalos made a comment she felt disrespected since the Committee agreed with Chief Outlaw and then learning about the change in the Oregonian
- Ms. Chiller made a comment the issue of the standard of review proposal is also frustrating
- Ms. Falk made a comment she felt frustrated that the Auditor refused to meet with the Committee
- Director Caldwell and Deputy Director Walton-Macaulay made a comment they are both attending the meeting and listen to the Committee concerns
- Director Caldwell, and Deputy Walton-Macaulay made a comment the appeal is a small part of work of the CRC, what would be more impactful is the policy review where it will impact hundreds of cases
- Ms. Falk made a comment she is frustrated by the City Auditor dismissing various workgroup reports
- Mr. Mozyrsky made a comment he thinks that Committee member resigning and spend time talking about how the City Auditor refused to attend CRC will help the work of the Committee. The Committee can try and sign up to speak in front of City at the beginning of the Council meeting
- Acting Chair Avalos made a comment retention is really important and the Committee needs to look into why are members resigning
- Director Caldwell made a comment the Committee is just an advisory board and sometime, not all the recommendations get adopted. City Council is aware of the Committee would like to change the standard of review and they have not taken that up
- Ms. Falk and Acting Chair Avalos made a comment with the new members and Chair coming in, this would be a good opportunity the Committee to work on mutual respect and turn on a new leaf with the Auditor
- Ms. Chiller asked Director Caldwell if the Committee can have a follow up with the truthfulness case that was published by the Oregonian
  - Yes, we can review the process and get back to you
- Acting Chair Avalos made a comment that she had reviewed the memo from the Auditor, and her interpretation that it was a choice of her to recuse herself from voting on appeal. She decided that would like to vote at CRC appeal again. She would like to get some official word from the City on whether she can vote
- Acting Chair Avalos made an announcement that there will be an election at the next meeting. She expressed interests to be the permanent chair of the Committee
- Ms. Chiller asked what would happen if no one volunteered to be the Chair?
- Deputy Director Walton-Macaulay made a comment the Committee will have to make someone to step up and be the Chair

- Acting Chair Avalos made a comment she will be out of town at the next CRC meeting and was wondering if the Committee can move the meeting from April 1<sup>st</sup> to April 8?
- Ms. Falk suggested Vadim or Hillary can Chair that meeting
- PPA contract: Acting Chair Avalos made a comment Committee needs to get the standard of review onto the list of bargaining with the PPA. She was wondering if the City Auditor can help out with that
- Director Caldwell made a comment this is something that the Committee will need to discuss with the Mayor's office
- Acting Chair Avalos asked Director Caldwell if the CRC can have a Facebook account? It would be nice for the Committee to use Facebook to advertise community forum
  - That question I would have would be who is going to run it and how is it going to operate? If the Committee can look at City rules and give us a proposal, then we can take a look at it.

5:55 pm—6:15 pm      New/Old Business

1) CRC retreat

- Acting Chair made a comment there was some discussion in the past to have a joint retreat with PCCEP, but she would like the Committee to have their own retreat since there are several new CRC members coming onboard. She expressed interest in facilitating the retreat since she had experience facilitating student government meetings in her day job
- Acting Chair asked Mr. Nguyen to send out a Doodle calendar to figure out the best date for the retreat.
- Ms. Chiller made a comment the topic of the importance of reviewing case file should be part of the agenda for the retreat.
- Acting Chair Avalos made a comment she would like to discuss the workgroups situation and see if the Committee should continue or disband certain workgroup.
- Acting Chair Avalos also would like to add team bonding as part of the agenda
- Director Caldwell made a comment if the Committee decides to have IPR staff attend the meeting, they should include IPR staff in the Doodle calendar
- The Committee unanimously decided to open the retreat to the public

6:15 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: Vadim Mozyrsky, and Julie Falk

IPR staff: Irene Konev, Community Outreach Coordinator

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: Hilary Houck, and Jihane Nami

3. 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: Candace Avalos /Members: Andy Chiller

- The workgroup met two weeks ago and discuss creating another Crowd Control Forum
- The workgroup also talked about creating a survey to gage people experience attending protest in Portland
- Mx. Fraser asked if the Committee accidentally come across information that can lead to a formal complaint?
- Ms. Chiller made a comment there should be a part on the survey that talks about how a person can file a formal complaint

4. Use of Force Workgroup (5 min.)

**MISSION STATEMENT:** The Use of Force Workgroup examines Portland Police Bureau use of force policies, directives, training and implementation in order to recommend and support any needed change in Portland Police Bureau use of force.

Chair: / Members: Andy Chiller, and Sylvan Fraser

- Mx. Fraser will reach out to Ms. Malone for more info about this workgroup

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

- Ms. Cushman made a comment the Committee should not be hosting meeting on Jewish holiday. In the past CRC retreat, the public was invited to observe the whole retreat. Regarding to the Committee wanting to host meeting in the Portland Building, the building closed down after 5pm. She urged the Committee to look at the rules
- Ms. Aiona made several comments:
  - She likes the Director using the Director's report to start conversations with the Committee
  - She enjoys attending meeting at the Portland Building. She urged the Committee to give at least 24 hours' notice when cancelling a meeting
  - She appreciates the Committee pushing back on the Chief's decision regarding to that case on the Oregonian
  - She urged the Committee to check in with Commissioner Hardesty's Office regarding to the PPA bargaining contract
  - If the Committee decides to change the April's meeting, they should send out an email a week in advance to let people know
- Mr. Handelman made several comments:
  - Copwatch brought up the Committee's proposal to the standard of review when submitting feedback regarding to the PPA contract, but it was not published
  - CRC training used to be open to the public and he is hoping that will open back up again
  - While there are many Deputy Auditors attending the CRC meeting, they are not the Auditor. The City Council wants to know what the Auditor thinks regarding to the standard of review proposal
  - Regarding to the Oregonian's article, Copwatch called that out when they first read the published police review board report

8:00 pm

- IPR policy review should involve the CRC  
Adjournment
- 

*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.*