



## CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

**Independent Police Review**  
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### FOR IMMEDIATE RELEASE

May 24, 2011

### INDEPENDENT POLICE REVIEW RELEASES ANNUAL REPORT 2010

The Auditor's Independent Police Review (IPR) division has released its annual report for calendar year 2010. IPR is Portland's civilian police oversight agency, established in 2002 under the authority of the independently elected City Auditor. IPR is monitored and advised by a nine-member Citizen Review Committee (CRC) appointed by the City Council.

This is IPR's seventh annual report to the public. Complaint intake and processing data for 2010 are detailed, as are major policy and program changes. The 2010 annual report, previous reports, and more information can be found at IPR's web site: [www.portlandoregon.gov/auditor/ipr](http://www.portlandoregon.gov/auditor/ipr).

#### **Complaint, Investigation, and Discipline Summary**

- IPR opened 385 complaints from community members about police conduct; rude behavior was the most common allegation.
- Forty-two complaints alleged violations of the Portland Police Bureau's (Police Bureau) use-of-force policies; four were sustained.
- Three officers were terminated, five resigned or retired with an investigation pending, and 13 were suspended without pay (between 10-80 hours).
- There were no in-custody deaths; however, there were six officer-involved shootings, three in the last five weeks of 2010.

#### **Expanded Oversight Authority**

City Council increased IPR's authority to conduct independent investigations, required the Police Bureau to obtain IPR approval of all Internal Affairs investigations, and created a more balanced and transparent Police Review Board to recommend findings and discipline to the Chief of Police.

#### **Citizen Review Committee**

Citizen Review Committee members focused their efforts on increasing the credibility of the complaint process among stakeholders. CRC held two Community Public Forums to discuss police accountability and to hear community concerns. CRC members began a review of the Police Bureau's use of Tasers and other less-lethal force options.

For more information regarding this report, contact IPR Director Mary-Beth Baptista at 503-823-0146. The annual report will be presented to Portland City Council Wednesday, June 15<sup>th</sup> at 10:05am (time certain).

For general information about IPR, please contact IPR Community Outreach Coordinator Irene Konev at 503-823-0926 or [Irene.Konev@portlandoregon.gov](mailto:Irene.Konev@portlandoregon.gov).

# END #

**WHAT HAPPENS TO COMMUNITY COMPLAINTS**

IPR received 385 community complaints in 2010. Following preliminary investigations, IPR referred 30% to IA and four percent to mediation. IPR dismissed 45% because the complaining parties described police conduct that was lawful and consistent with Police Bureau policy. Twenty-one percent were dismissed for other reasons.

Issue/Outcome	2009		2010		2011	
	Total	Percent	Total	Percent	Total	Percent
Dismissed by IPR	429	64%	332	58%	228	60%
Referred to IA	188	29%	205	31%	140	37%
Pending or Completed Mediation	25	4%	15	3%	8	2%
Resolved at In-lieu	0	0%	5	1%	6	1%
Referred to Other Agency	13	2%	0	0%	2	1%
<b>Total**</b>	<b>674</b>		<b>559</b>		<b>384</b>	

\* IPR subsequently referred 39 of the 228 complaints to pursue commendations or division suspensions for information.  
 \*\* IPR makes suspending decisions after completing preliminary investigations (which take a few weeks). The number of decisions made in a given year will typically differ from the number of complaints received because of this lag time.

IA processed 128 community complaints in 2010. Following initial assessments by IA supervisors, 52% were handled as Service Improvement Opportunities and 22% as administrative investigations. Subject to IPR approval, IA declined to take further action on 26% for reasons explained in letters to the complaining parties.

Administrative Decision	2006		2007		2008		2009		2010	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
Service Improvement Opportunity	32	30%	48	60%	65	51%	87	58%	67	52%
Investigation	65	20%	55	22%	47	25%	27	17%	28	22%
Declined	51	22%	42	17%	46	24%	40	26%	53	26%
Resolved Administratively*	20	15%	3	1%						
<b>Total</b>	<b>108</b>		<b>108</b>		<b>118</b>		<b>154</b>		<b>148</b>	

\* Administrative resolution was a category predominantly used for complaints that were referred to a precinct commander for information. Such cases have not been categorized as "Declined" with substantiation or are processed as "Service Improvement Opportunities".

Officers were found to have committed at least one act of misconduct in 37% percent of the fully investigated community complaints.

Completed Investigations	2006		2007		2008		2009		2010	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
All Non-sustained Findings	28	62%	42	75%	28	78%	46	78%	12	63%
One or More Sustained Findings	18	38%	14	25%	8	22%	13	22%	7	37%
<b>Total</b>	<b>47</b>		<b>56</b>		<b>36</b>		<b>59</b>		<b>19</b>	

Bureau or Member Action	2005		2006		2007		2008		2009		2010	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
Termination	1	1%	1	1%	1	1%	1	1%	3	3%		
Resignation or Retirement with Investigation Pending*	8	4%	6	5%	5	5%	5	5%	5	5%	5	5%
81+ Hours SWOP**	0	0%	1	4%	3	1%	1	1%	1	1%	1	1%
10-80 Hours SWOP**	5	7%	10	4%	4	4%	13	13%	13	13%	13	13%
Letter of Reprimand	11	9%	10	9%	9	9%	5	5%	5	5%	5	5%
Command Counseling	16	10%	8	7%	7	7%	7	7%	7	7%	7	7%
<b>Total***</b>	<b>41</b>		<b>32</b>		<b>39</b>		<b>29</b>		<b>31</b>		<b>31</b>	

\* 6 of the 28 resignations or retirements appear unrelated to the pending complaint.  
 \*\* SWOP = suspension without pay  
 \*\*\* Counts include officers disciplined in Bureau, Community, or Tort cases only.  
 Bureau performance and collision reviews led to discipline for additional officers.

**OUTREACH — BUILDING COMMUNITY TRUST**

The IPR Community Outreach Coordinator (Coordinator) worked throughout the year to build positive relationships with the public and community advocacy groups. Outreach ranged from one-on-one meetings to presenting at local and statewide events, and included contact with the following groups:

- African American Chamber of Commerce
- Annual Brokerage Resource Fair
- Avel Gordly Center for Healing Center for Intercultural Organizing
- Colored Pencils Art and Culture Night
- Gateway Domestic Violence Center
- High school and college civic leadership classes
- Hispanic Metropolitan Chamber of Commerce
- Immigrant Refugee Community Organization
- Muslim Educational Trust
- National Alliance on Mental Illness
- National Association for the Advancement of Colored People
- National Night Out
- Native American Youth and Family Center
- Oregon Assembly for Black Affairs
- Oregon Native American Chamber of Commerce
- Police Awards Ceremonies
- Portland Business Alliance
- Safely Northwest
- Self Enhancement, Inc.
- St. Andrew Legal Clinic
- United Villages
- Urban League of Portland

Outreach activities promoted understanding about IPR's role in the complaint and commendation process. The Coordinator and other IPR staff members met with leaders of immigrant communities, speaking with and listening to them in English, Spanish, and Russian. IPR also distributed 4,500 brochures in English, Russian, Spanish, Chinese, and Korean.

**OUTREACH — HEARING THE PUBLIC**

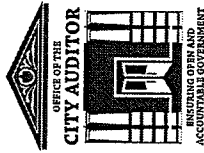
Several organizations asked IPR to reduce the barriers that some community members perceive when they consider filing a complaint or commendation. In response, IPR complaint investigators have travelled to various locations throughout Portland to interview witnesses and complainants.

IPR expanded its effort to recruit a culturally-diverse group of applicants for appointment to CRC, including posting announcements and applications online, in non-traditional news media, and in brochures handed out at presentations.

**CULTURAL COMPETENCE TRAINING FOR IPR AND CRC**

IPR arranged six hours of cultural competence training for new CRC members. In addition, a half-day, follow-up training session was scheduled for IPR staff in January 2011.

**INDEPENDENT POLICE REVIEW**  
 Executive Summary of the  
 Annual Report 2010



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The full report and other reports produced by the Independent Police Review and the Citizen Review Committee are available on the Internet web site at: [www.portlandoregon.gov/auditor/ipr](http://www.portlandoregon.gov/auditor/ipr).

## INDEPENDENT POLICE REVIEW

The Independent Police Review (IPR) division is an impartial oversight agency under the authority of the independently elected City Auditor (Auditor). IPR was created to improve police accountability, promote higher standards of police services, and increase public confidence. IPR has five primary responsibilities:

- 1. COMPLAINTS AND COMMENDATIONS**  
Receive community members' complaints and commendations about Portland Police Bureau (Police Bureau) officers.
- 2. ADMINISTRATIVE INVESTIGATIONS**  
Conduct or oversee personnel administrative investigations of Police Bureau officers charged with misconduct.
- 3. REPORTS AND RECOMMENDATIONS**  
Issue periodic reports about complaints and investigations, and recommend policy changes to reduce complaints and misconduct.
- 4. SHOOTINGS AND DEATHS**  
Observe and participate in investigations of officer-involved shootings and in-custody deaths. Hire expert to review closed investigations, and report on policy and quality of investigation issues.
- 5. APPEALS**  
Coordinate appeals filed by community members and officers who are dissatisfied with the outcome of administrative investigations.

Additionally, IPR conducts outreach to hear community concerns and build community trust; provides administrative and technical staff support to the Citizen Review Committee (CRC), an advisory body appointed by Portland City Council (Council); and coordinates mediations between community members and officers.

## EXPANDED OVERSIGHT AUTHORITY

In 2010, the Council significantly strengthened IPR's oversight of the Police Bureau:

- Increased IPR's authority to conduct independent administrative investigations, including the power to subpoena civilian witnesses, to compel the production of evidence, and to participate directly in Police Bureau investigations of officer-involved shootings and in-custody deaths.
- Authorized IPR to initiate investigations in cases of community concern, whether or not a community member files a formal complaint.

- Required that completed administrative investigations be approved by IPR before being submitted to senior Police Bureau managers for recommended findings and disciplinary recommendations.
- Authorized IPR to challenge senior Police Bureau managers' recommendations and require the cases be considered by the Police Review Board (Board).
- Made IPR a voting member of the Board and authorized IPR to make recommendations to the Chief of Police (Chief) regarding findings and discipline.
- Increased civilian influence on the Board decisions by increasing civilian membership to two and reducing police membership to three. The civilians include the IPR representative and a community member nominated by the Auditor and appointed by Council.

A skilled professional will facilitate the Board hearings and also write a statement of findings and discipline that will be forwarded to the Chief. In addition, the Police Bureau is required to publicly report (no less than twice a year) the Board's recommendations.

## CITIZEN REVIEW COMMITTEE

The nine-member CRC is appointed by Council to:

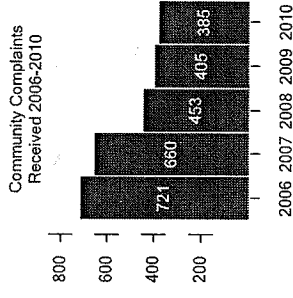
- gather community concerns about police services;
- help the IPR Director develop policy recommendations to address patterns of problems with police services and conduct; review and advise IPR and Internal Affairs (IA) on the complaint-handling process; and
- hear appeals from community members and officers, and publicly report their findings.

## 2010 CRC ACCOMPLISHMENTS

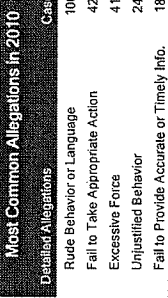
- IPR AUTHORITY** — CRC members helped shape the expansion of IPR authority by providing input on drafts of the ordinance, participating in the subsequent Stakeholder Committees' process, and testifying before Council.
- TRAINING** — CRC provided input and suggestions to aid in development of an 18-hour training series for new and existing CRC members and community members of the Board.
- POLICY REVIEW** — CRC created a workgroup tasked with reviewing Police Bureau use of Tasers and other less-lethal force options.
- COMMUNITY PUBLIC FORUMS** — CRC hosted two forums to discuss police accountability and hear community concerns.

## COMPLAINTS

Complaints may be filed in person, by telephone, fax, mail, e-mail, or through the IPR website. Most complaints are filed by 385 community complaints received in 2010.

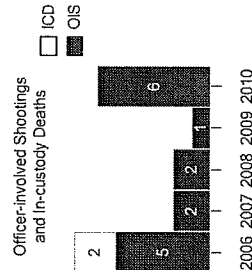


Rude Behavior or Language continues to be the most common allegation among community complaints.



## OFFICER-INVOLVED SHOOTINGS AND IN-CUSTODY DEATHS

There were six officer-involved shootings in 2010, three in the last five weeks of the year. There were no in-custody death incidents in 2010.



## ALLEGATIONS OF USE OF FORCE

In 2010, 42 community or bureau complaints contained at least one allegation of excessive force. Force complaints dropped by more than 50% from 2006 to 2010.

