COMPLIANCE AND OUTCOME ASSESSMENT REPORT

by the
COMPLIANCE OFFICER AND COMMUNITY LIAISON (COCL)

January-March, 2019

PCCEP Townhall, April 23, 2019
Focus of this Report

• Paragraphs where City/PPB has yet to achieve Substantial Compliance
• Conditions that would need to be fulfilled for the COCL to grant Substantial Compliance
• We review these “COCL Conditions” and describe the “Current Status” of these areas where work remains to be done
Use of Force (Opening Paragraph and 67a)

• Conflation of De-Escalation and Command-and-Control Tactics
• 2018 In-Service Training
• Documents released by Inspector
  • Third set recently released
• Ongoing Inspector review
• COCL review of use of force events
  • Issues largely resolved
• Suggest PPB continue to evaluate intersection of traditional tactics and de-escalation
Use of Force (Par. 66a, 67d)

• Reasonableness and Accountability
• Training and expansion of Inspector Audit – evaluation of impact
• 20 random use of force events
  • Totality of circumstances rather than moment of force
  • Single case we found had already been forwarded to Training Division
• Prior concern – Attempted CEW
  • Directive 1010.00 revised
Use of Force

- 68f
  - Training officers with CEW dummy
  - Completed in 2018 In-Service

- 73a
  - Consistent inclusion of EIS information
  - January 2019 email of required content
  - SOP #49 requires Inspector review of PDT entry

- 73b, 73d, 76
  - Inspector identified deficient officers and chain-of-command reviewers and corrected
  - System operating as intended
Use of Force (74, 75, 77)

• Force Audit – Use of Formal Feedback System for Identified Issues

• Inspector used email- and Excel-based feedback system
  • Requires others to access Inspector’s email

• PPB should use formal “Audit Action Item Report” form
  • Has recently begun though we will need to see consistent use in this quarter
Training (Par. 81, 84, 85)

• Settlement agreement produced significant change in PPB training:
  • Improved training for recruits, officers, supervisors and command staff
  • Force decision making, de-escalation and procedural justice

• Remaining Training Conditions:
  • Par. 81: Create an electronic database to capture all training records (LMS); Supervisor must review this database at least semi-annually (Complete)
  • Par 84(a)(i): Increase the use of role-playing scenarios and interactive exercises related to force, ethical decision making, and peer intervention (In progress)
  • Par. 85: Inspector must audit the training program using seven performance standards (Complete)
Crisis Intervention (Par. 99 and 115)

• Crisis Response and Fully Operational BOEC Crisis Triage
• 2018 – City expanded criteria and provided BOEC training
• 6-month evaluation of expanded criteria
  • Outcome differences between ECIT and non-ECIT remained
  • Believe BOEC training could have broadened definition of “risk”
• Recommended supplemental BOEC training
  • Held this month
  • When in doubt, send them out
• Other areas functioning well
  • Audit results – BOEC, ECIT response, Ability to identify MH component
• Portland Model variation of Memphis Model but responsive to initial concerns that led to SA
Crisis Intervention (Par. 105)

- Mental Health Template
- Ensuring accurate completion
  - October of 2017 – nearly 1/4 of Mental Health CAD Response was “Unanswered”
- 2018 Supervisor In-Service on MHT and requirements
- Unified BOEC and PPB dataset corrects inconsistencies
- Since March of 2018, far fewer unanswered
  - Consistency
Employee Information System (Par. 116 and 117)

• 116a, 116b, 116c Reviews
  • Consistent compliance (over 97%) for 2018 Q3 and Q4

• Compliance similar across Precincts/Units

• Systematic review of EIS alerts, forwarding processes, and interventions
  • Force interventions increased (19.6% o 33.7%)
  • Complaint alerts forwarded and receive intervention

• SOP #47 memorializes Par. 117 process
  • Results discussed with RU and RU must give response

• Risk Management process continues
Accountability (Par. 121)

• 2018 Q4 Report – Not able to evaluate improvement in 180-day timeline

• Improvement in stages
  • IPR Assistant Director
  • IPR Intake Investigation

• Not all cases may reasonably be expected to be completed under 180-days
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<td>36.9% (100)</td>
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<td>82.6% (100)</td>
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Accountability (Par. 128)

• Issues that remained
  • System Complaints and Allegation Formation
  • Volume/Length of Time to Complete SI
  • SI vs. SIO Process (Disciplinary Feel)

• For all issues, PPB and IPR report steps already taken – COCL must independently verify
Community Engagement and Creation of PCCEP: Progress Overall

- City recruited, selected, and staffed PCCEP
- PCCEP participated in training and team building
- PCCEP created organizational structure (with 5 subcommittees), bylaws, and group values
- PCCEP has held regular meetings and townhalls
- PPB has engaged marginalized and at-risk communities independent of the PCCEP
Community Engagement: PCCEP Progress (Par. 142, 151)

• Par. 142: Continue to hold regular meetings *(in progress)*; complete the work required in the PCCEP Plan *(in progress)*, and develop a working relationship with the PPB, including contributing to PPB’s Community Engagement Plan *(in progress)* – e.g. March PCCEP meeting

• Par 151: PCCEP meetings have followed Oregon Meetings Law; City has provided legal advice *(complete)*

• Status of PCCEP subcommittees is uncertain, but not required to achieve Substantial Compliance (Completion of tasks in the PCCEP Plan is what matters)
Progress on PCCEP Plan

• Hold public hearings or town halls (at least 2) to consult with community members *(complete)*

• Meet quarterly with Director of City’s Office of Equity and Human Rights and PPB’s Manager of Equity & Diversity, including a review of PPB’s Racial Equity Plan *(in progress)*

• Meet twice per year with Chief, Police Commissioner, PPB Precinct Commanders, PPB Neighborhood Response Teams, and Office of Neighborhood Involvement Crime Prevention *(in progress)*

• For PPB’s Community Engagement Plan, suggest strategies to ensure greater public outreach and engagement *(in progress)*

• Prepare summary reports on community concerns and recommendations – typically around the public town halls *(in progress – First quarterly report complete)*
Community Engagement: City/PPB Progress (Par. 144, 145, 146)

• Par. 144: City will hire a Project Director to assist PCCEP (in progress)

• Par. 145: PPB will develop a working, transparent relationship with the PCCEP and develop a reasonable Community Engagement Plan with input from PCCEP (in progress); PPB will enhance it’s community engagement in general (complete)

• Par. 146: City will conduct a community-wide survey (complete); prepare a report on the results (in progress); distribute the results to “inform the work of the PCCEP” (not yet) and “inform...the development and implementation of the Community Engagement Plan.” (not yet).
Community Engagement: City/PPB Progress (Par. 147, 148, 149)

• Par 147: Analyze demographic data to inform “outreach and policing programs specifically tailored to the residents” in each precinct; deliver precinct-level demographic data to the PCCEP to “inform its work” (complete)

• Par. 148: Analyze demographic data on police stops, looking at disparities by race, age, sex and mental health status of persons stopped; and provide these reports to PCCEP (complete)

• Par. 149: PPB, DOJ and COCL jointly create a set of metrics and present them to the PCCEP for review (complete)
Community Engagement: City/PPB Progress
(Par. 150, 151)

• Par. 150: PPB must: (1) release the final version of its 2017 annual report (complete); (2) hold at least one meeting in each precinct area and at a City Council meeting to discuss the topics covered (not yet); and (3) prepare a more timely annual report for 2018 (in progress).
PCCEP Challenges and Community Concerns

• PCCEP listed many challenges/concerns in first quarterly report
• COCL acknowledges these as legitimacy issues
• However, many of them do not interfere with the COCL’s ability to grant Substantial Compliance with specific paragraphs of the Settlement Agreement
• COCL strongly encourages PCCEP to continue to address these issues as needed after the Settlement Agreement has concluded
Thank You!

Questions?