



# IPR Quarterly

Volume 3, Issue 4, Fall 2007

The Independent Police Review and Citizen Review Committee

## Who We Are

The Independent Police Review (IPR) is responsible for handling complaints made by members of the community about Portland Police Bureau (PPB/Bureau) officers. IPR may investigate, mediate or dismiss complaints, or forward them to the Portland Police for further review, investigation, or resolution. IPR tracks and analyzes complaints and conducts policy reviews.

The nine citizen volunteers of the Citizen Review Committee (CRC) are appointed by Portland City Council to review how IPR handles complaints, hear appeals of investigative findings, help IPR identify patterns of complaints, and develop policy recommendations.

Together, IPR and the CRC work to improve police accountability to the public.

Independent Police Review  
1221 SW 4th Avenue  
Room 320  
Portland, Oregon 97204

Tel: (503)823-0146

[IPRCRC@ci.portland.or.us](mailto:IPRCRC@ci.portland.or.us)

[www.portlandonline.com/auditor/ipr](http://www.portlandonline.com/auditor/ipr)

## Director's Report

by Director Leslie Stevens

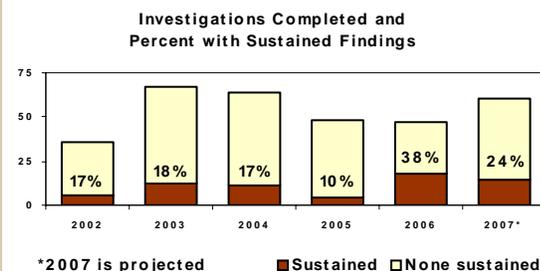
I recently completed my first two years as Director of Portland's Independent Police Review Division (IPR). It seems an appropriate time to reflect on police oversight in Portland and my office's accomplishments. I am proud of the work of IPR and impressed with the Portland Police Bureau's (PPB) acceptance of civilian oversight. In these last two years, policing in Portland has improved and I see signs that these positive trends will continue.

### IPR expanded its role in complaint investigations

I have expanded the scope of our investigations. IPR investigators stepped up to the challenge with the professionalism and eagerness I have come to expect. I am fortunate to have such knowledgeable and competent investigators who are genuinely committed to helping citizens and assisting PPB find ways to improve the service it provides. More thorough investigations by IPR means better prepared cases are sent to PPB's Internal Affairs Division (IAD) for investigation. IAD is better able to concentrate its efforts on those cases and is declining to investigate fewer cases.

### IPR increased oversight of IAD investigations

IPR has the ability to conduct independent investigations if I believe PPB is not doing an adequate job. I increased oversight of investigations by IAD to gauge how well PPB is doing. The quality of investigations is continually improving so it has not been necessary for IPR to conduct additional or independent investigations. Improved investigations enable PPB managers to hold officers accountable when misconduct does occur. The quality of IPR and IAD investigations has improved to the degree that in 2006, PPB managers recommended sustained findings in more investigations than any time in IPR's history. That trend appears to be continuing in 2007.

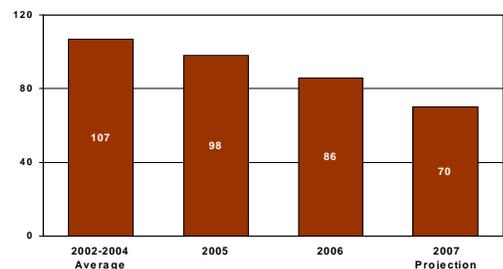


## IPR works with PPB to improve policy/training

One of the many strengths of Portland's oversight system is that citizens have an independent office to contact to file complaints and discuss their concerns about police services. One of the benefits of a central clearing house for complaints is that I am able to identify patterns of complaints. Not all concerns raised by citizens amount to violations of training or policy. In fact, the conduct may be exactly what the bureau is training or encouraging officers to do. By identifying patterns and trends in complaints, I am able to recommend changes in policies or training to help reduce complaints and PPB has responded through training, roll call videos and changing bureau forms and directives.

Perhaps IPR's greatest accomplishment since I have been here is helping PPB effect fundamental change in use of force issues. I led a task force that brought together citizens and PPB managers to analyze force patterns and recommend improvements. The Chief agreed to implement all of the recommendations, including adopting a new use of force policy. Members of the Citizen Review Committee (CRC) and I will be reporting on PPB's progress in implementing these recommendations soon. However, based on preliminary information, it looks like just talking about the issues has resulted in positive change. The number of force complaints is dropping.

Excessive Force Complaints



## Portland's System is Strong and Effective

As the Director, I have attended or spoken at national and international conferences focusing on police oversight and the challenges faced by civilian professionals and citizen volunteers alike. I am continually struck by the challenges faced in other jurisdictions that are simply not issues here

in Portland. For example, IPR is the only oversight agency in the country that enjoys the level of independence that I do working for an independently elected auditor. Our work can be fair and impartial because it is performed without fear of retaliation or political pressure from city council, the police commissioner or the Chief. Unlike in other jurisdictions, PPB information is always available to me. I can and do regularly phone police officers, managers and the Chief. I

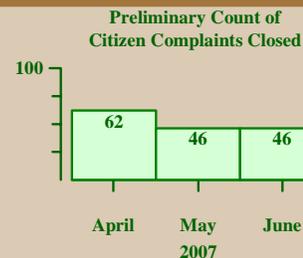
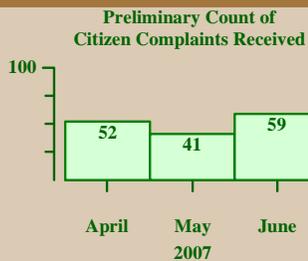
receive invitations to participate in training, policy, and management discussions because PPB wants to hear an outsider's view. I formally meet with IAD personnel weekly and discuss issues with IAD investigators such as the scope and quality of investigations. We work together to conduct quality investigations.

I feel fortunate to be a part of these changes, and the citizens of Portland can be confident in the strength of our oversight system.

## Oversight Report

### Report for Second Quarter 2007

The following charts show the number of complaints received and closed from April to June 2007. See page 3 for allegations in each complaint category. Complete figures are not available yet for the most recent months. IPR records and tracks all citizen-initiated complaints. In the second quarter, citizens filed 152 new complaints and IPR staff closed 154 cases. There were 172 commendations processed this quarter.



Some complaints contain multiple allegations, each classified and tracked; so allegations outnumber new cases.

*Conduct* complaints involve "behavior bringing discredit" to the police or the City. This category includes conformance with laws, professionalism, and truthfulness.

*Procedure* complaints allege an administrative or procedural requirement was not met, such as evidence handling, identification, or reporting requirements.

*Courtesy* complaints allege rudeness, disrespect, or offensive language or behavior (not including disparate treatment issues).

*Control technique, disparate treatment, and force* are also allegation categories.

### First Quarter Case Descriptions

IPR randomly selects one citizen complaint and one commendation from each month of the quarter to provide examples.

#### April

- A man alleged: an officer falsely charged him; and that officers unlawfully entered his residence, put handcuffs on too tight, ignored his request to loosen them, lifted his handcuffed arms behind his head, hung up his phone while he was talking, laughed at him and turned his music on loud, and wrote inaccurate police reports.
- A man said he appreciated the PPB officer who located his granddaughter in another state.

#### May

- A woman stated an officer was rude to her while she was sitting in her car and then detained her improperly, aggressively, and without cause. She claims her arm and leg was bruised.
- A victim of a home burglary thanked a PPB officer for finding her checkbook and an item of clothing. She said the effort was impressive.

#### June

- A woman said that while officers handcuffed her, they forced her over an oven, which caused a burn on her abdomen. An officer proceeded to pull her back from the burning stove, knocking her head on the corner of a cabinet.
- During his traffic accident incident, a man complimented a PPB officer for demonstrated skill while keeping the man focused off of distractions.

### Second Quarter Mediations

The IPR Mediation Program is an alternative to the disciplinary process that permits citizens and officers to meet (with professional mediators) to resolve their issues together. Two new cases were received and five cases were mediated this quarter.

### Full Investigation Findings

The following general summaries are all full investigations closed in the second and third quarters that were not appealed to the CRC (appealed cases described on page four). The PPB made the following findings:

- A man claimed an officer tore up his truck and inappropriately pointed a gun at him during a search. PPB found insufficient evidence to prove these allegations. The search itself and the man's transfer to jail were within policy.
- A man said that officers made racial comments, used excessive force, harassed him at the detox center, and would not provide contact information to him. The available evidence did not support the allegations.
- A man said an officer accused him of being drunk and used excessive force during a stop. The available evidence did not support these allegations. PPB found the officer's failure to document use of force to be a violation of policy.

- A woman said an officer inappropriately used his police position to get police report copies and involved himself in a custody dispute. PPB found the officer's actions violated policy. PPB did not sustain her allegations that the officer gave the police reports to others, intimidated and menaced her, and conspired with others to put false tips about her on the Internet.

- PPB found that an officer did not violate policy when he insinuated that a man was trying to locate drugs or prostitutes. PPB found insufficient evidence to prove whether the officer told the man to leave the area or whether the officer was verbally aggressive and rude—calling his wife about the contact. However, the officer will be debriefed about how the situation was handled.

- A woman claimed an officer used profanity, did not provide her with contact information, and stalked her. These were unfounded. PPB found insufficient evidence to prove her allegation that another officer used profanity. The officer will be debriefed.

- The available evidence did not support a man's claims that an officer used excessive force and was discourteous when taking him to the detox center.

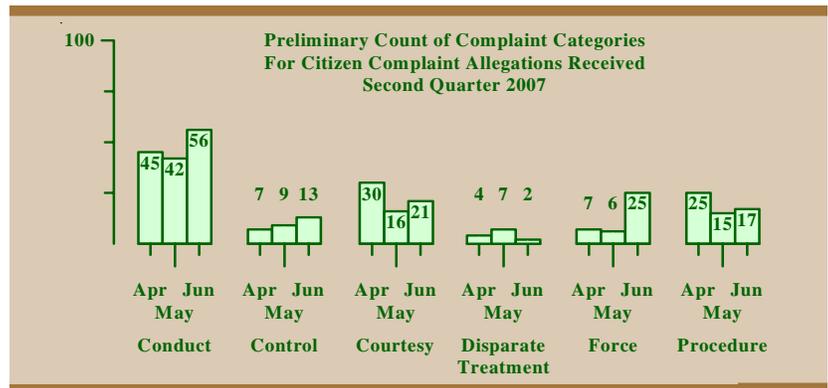
- PPB exonerated an officer against a man's claim that excessive force was used by two officers. The available evidence did not support the man's claim that money was missing after his release from the detox center.

- A man was stopped and grabbed by an officer. These actions were within policy. PPB found insufficient evidence to prove whether the officer made threatening comments and the evidence did not support the allegation that two other officers laughed at him. PPB found that the officer violated policy by mishandling the man's seized property.

- A man stated an officer threatened him, referred to him as a crackhead and accused the man of stealing money from the Federal Government after Hurricane Katrina. The man also said the officer called his girlfriend a name. The officer's actions were found to be within policy but will be debriefed about how people should be spoken to. The man also said the officer told him his vehicle would not be released. There was insufficient evidence to prove whether this was said but the officer will be debriefed regarding this.

- A woman said an officer refused to provide his name and badge number, hurt and teased her, made inappropriate sexual comments, and then handcuffed and unhandcuffed her at least seven or eight times. There was insufficient evidence to prove these allegations. PPB found that the facts did not support the woman's claim that the officer refused her request to have another officer present and told hospital staff to leave the room.

- A man claimed an arresting officer used unnecessary force. PPB found the officer's actions were within current practice, but there will be a debriefing to discuss alternative tactics. PPB found



the evidence did not support the allegation that another officer threatened to use force the next time the officer saw the man.

- A woman said an officer kicked the door of her rental property causing damage. PPB sustained the allegation, and an allegation that the officer took a DMV trip permit from a parked car on the property. PPB found insufficient evidence to prove whether the officer refused to give his name but will debrief the issue with the officer.

- A woman alleged an officer conducted an inadequate investigation into whether her son was assaulted by a teacher at school, failed to write a timely report, and did not respond to her follow-up phone calls. PPB determined that the officer's actions violated policy. PPB found insufficient evidence to sustain her concern that the report the officer finally did write was inaccurate.

- A man claimed an officer racially profiled him and said he would retaliate by ticketing him in the future. PPB found the officer's actions to be within policy. The man also stated the officer used racial epithets. PPB concluded that the evidence did not support that allegation.

- A woman, her son, and her son's girlfriend alleged an officer unlawfully detained the girlfriend, displayed a firearm, and was confrontational. PPB determined the officer's actions were within policy. PPB determined the available evidence did not support the allegation the officer used excessive force on the son.

- An anonymous person said an officer used force in disciplining his step-child four years prior. There was not enough evidence to prove or disprove the allegation.

- A man stated an officer intervened in a civil matter and possibly used PPB resources for personal business. There was insufficient evidence to prove or disprove the allegations but the incident will be debriefed with the officer. The available evidence did not support his concern that the officer was verbally aggressive.

- A man said he saw an officer kick a suspect during an arrest. There was insufficient evidence to prove or disprove the allegation. He said the officer threatened him. The officer was within

(continued on page 4)

**CRC Public Meetings  
Schedule  
(Subject to Change)**

November 20, 2007  
5:30 PM  
Matt Dishman  
Community Center  
77 NE Knott Street

December 18, 2007  
5:30 PM  
City Hall Rose Room  
1221 SW 4<sup>th</sup> Avenue

**Investigation Findings** (continued from page 3)

policy to do so. The officer will be debriefed on tactics, decisions, and communication skills.

- A man claimed an officer used excessive force, failed to identify himself, and would not tell him why he was being arrested or where he was being taken. The available evidence did not support the man's allegations.
- A man said the officer who came up to his car was rude and that he felt interrogated. PPB found insufficient evidence to prove or disprove the allegation. The control techniques used by the officers to get the man out of his car were found to be within policy. The available evidence did not support a finding that the officer took money from the man's wallet.
- A man accused officers of misconduct during his drug arrest. The available evidence did not support his allegation that he was treated the way he was because he was homeless and disabled, or that the officers poked him in the chest and hurt him when they handcuffed him. There was insufficient evidence to prove or disprove his allegations that officers used profanity and were rude. PPB sustained his allegation that an officer inappropriately said the man touched a little boy.
- A man accused two officers damaging a gate latch, verbally harassing him, and using rude language. The available evidence did not support these claims. In addition, he said officers entered without consent, searched without a warrant, and inappropriately shared information with his landlord. These actions were within policy but the officers will be debriefed on the complaint issues.
- A man accused an officer of using too much force when arresting him. PPB found the officer's actions to be within policy. The man said profanity was used but could not recall what was said. The available evidence did not support this allegation.
- A man witnessed the end of a foot pursuit and believed two officers used excessive force in arresting the suspect. PPB did not sustain the allegations but will debrief the officers.
- There was not enough evidence to prove or disprove whether an officer used excessive force in taking a man to the ground. The available evidence did not support the man's claim that he was inappropriately taken to a detox center; the officer was debriefed.
- A woman said an officer was rude, intimidating, and unprofessional when investigating a traffic accident. The evidence did not support her complaint but the officer was debriefed.
- A tenant said two officers looked in a room after being told they could not, unnecessarily identified people at the scene, made unprofessional comments, and acted this way in retaliation for previous complaints made by the homeowner. None of the allegations were sustained.
- A man said an officer falsely arrested him, handcuffed him too tightly, and made racial statements. He claimed another officer conspired with the first officer and both refused to call a supervisor. No allegations were sustained.
- A woman said officers entered her house unlawfully and used excessive force while apprehending her boyfriend for eluding police following a hit and run accident. The available evidence did not support these allegations but the officers were debriefed to discuss alternatives. One officer was found to have acted within policy when pushing the woman away. The other officer admitted it was inappropriate to have said three white women in America should not act like this and the bureau sustained that allegation.
- A woman, who gave a false name and was uncooperative, claimed officers used excessive force and one officer called her a profane name. These allegations were not sustained.

## Citizen Review Committee News

### CRC Member Recruitment

Five CRC members' terms will expire the end of this year. The nominees will be presented to Council for appointments November 28, 2007.

### CRC Workgroups

*Tow Policy Workgroup* finalized its report for presentation to the full CRC meeting.

*Protocols Review Workgroup* reviewed several protocols and provided comments to the IPR Director and Assistant Director. It finalized one protocol for presentation to the full CRC.

*Bias-based Policing Workgroup* is preparing to review IPR case files.

*PARC (Police Assessment Resource Center) Workgroup* was formed to review consultant

recommendations regarding officer-involved shootings and in-custody deaths.

### Appeals to the CRC

Citizens and officers dissatisfied with the findings of complaint investigations may appeal to the IPR and CRC. Hearings are held in public meetings. In the third quarter of 2007, 18 cases were eligible for appeal, and no requests for appeal were filed.

One appeal hearing was held in the third quarter. The appellant alleged that a detective illegally searched his house, his garage, and one of his cars; and that the detective told the appellant's wife that the appellant was a drug dealer. The CRC affirmed the Police Bureau's findings.

A second appeal hearing was scheduled, but the appellant withdrew the appeal.

*Independent Police Review*  
1221 SW 4th Avenue  
Room 320  
Portland, Oregon 97204

Tel: 503 823-0146  
Fax: 503 823-3530  
[www.portlandonline.com/auditor/ipr](http://www.portlandonline.com/auditor/ipr)