

# QUARTERLY REPORT

INDEPENDENT POLICE REVIEW AND CITIZEN REVIEW COMMITTEE



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SECOND QUARTER 2010

## IPR DIRECTOR'S REPORT

by Mary-Beth Baptista, Director

As previously reported, Portland City Council voted unanimously to adopt significant changes to the Independent Police Review's (IPR) governing Ordinance. Since its passage, IPR has worked with the Portland Police Bureau (Police Bureau) to draft new Police Bureau directives and policies, as well as revise IPR protocols to address the changes in the Ordinance. We have also begun to address two significant changes made to the Police Review Board (Board) regarding the processes and make-up of the advisory board. One change made the Auditor responsible for recommending community members for City Council appointment to the Board; the other mandated that the Board be facilitated by a person who is not employed by the Police Bureau. With the Auditor, IPR engaged in outreach efforts to recruit community members to serve on the Board. I have also worked with a team consisting of Police Bureau and community members to choose a pool of facilitators with demonstrated experience.

IPR released the 2009 IPR Annual Report detailing complaint intake and processing data for that year. The report also highlights major policy and program changes, including the decision

to hire experts to evaluate the closed internal police investigation of the in-custody death of James Chasse, prior to the completion of civil litigation. Additionally, IPR made significant efforts to reach out to the Portland community last year.

I was invited to make a presentation to the Association of Local Government Auditors at the annual conference in San Antonio, Texas. I discussed the various models of civilian oversight and how Portland has used the Auditor model to improve police accountability, promote higher standards of police services, and increase public confidence.

## CRC CHAIR'S REPORT

by Michael Bigham, Chair



It has been a busy quarter for the Citizens Review Committee (CRC) members and many of our long-term projects are coming to fruition. CRC accepted the draft reports of the IPR Structure Review Workgroup and the Police Assessment Resource Center (PARC) Workgroup – with some modifications. The Disparate Treatment report was presented to City Council in June. The Structure Review and PARC reports will be presented to City Council in July. All reports are available on the Internet: [www.portlandoregon.gov/auditor/ipr](http://www.portlandoregon.gov/auditor/ipr).

CRC held elections in May: Jeff Bissonnette was elected Secretary, Jamie Troy as Vice-chair, and I return once again as Chair.

I have also been appointed as the CRC representative to the Police Accountability Stakeholders Group.

Much of CRC's work was taken up with case file reviews and appeals. CRC members reviewed three cases before they were scheduled for appeal hearings and asked for further investigation on two of them. Internal Affairs Division (IAD) refused to do further investigation on one of those cases: IPR agreed to do the follow-up on it. CRC heard two appeals and challenged findings on both of them. The Police Chief accepted CRC's proposed findings on one of the cases – after initially disagreeing on one of the proposed findings. The other case is still pending.

Finally, CRC is planning to hold its next Community Public Forum in North Portland on October 28, 2010.

## CITIZEN REVIEW COMMITTEE

*Community Oversight of Portland Police Bureau*

*As community volunteers, the nine members of the Citizen Review Committee (CRC) are appointed by Portland City Council to monitor and advise IPR, hear appeals, and receive public concerns.*

E-mail: [crc@portlandoregon.gov](mailto:crc@portlandoregon.gov) Message: 503-823-0926  
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TTD: 503-823-6868

### OFFICE OF THE CITY AUDITOR

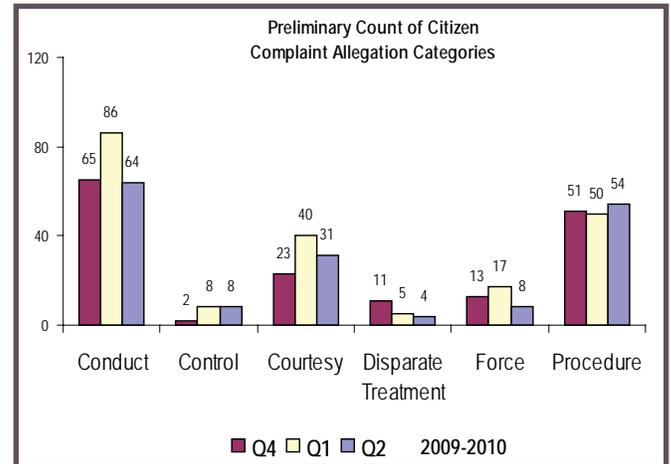
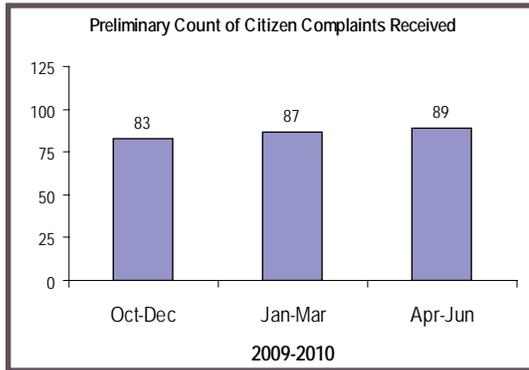
*The City Auditor's division of the Independent Police Review (IPR) receives and screens complaints about officers of the Portland Police Bureau. IPR may dismiss, mediate, investigate, or refer complaints to the Police Bureau. IPR analyzes complaint patterns, conducts policy reviews, as well as oversees investigations.*



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## CASE STATISTICS

IPR records and tracks all citizen-initiated complaints. The following charts show the number of complaints received and the total allegations in each complaint category over the past three quarters. Most complaints contain multiple allegations, each classified and tracked separately, so allegations outnumber new cases.



IPR *randomly* selects a few new citizen complaints, completed investigations, and community commendations from the reporting period to provide examples for the following sections.

## NEW CASES

- A community member filed a written report with IPR, stating that he felt that an officer treated him rudely and was verbally abusive during a traffic stop. **Status: Mediation**
- A woman initially sent a complaint regarding Portland Police officers to Senator Wyden's Office. She was routed to the IPR office through the City of Portland's Ombudsman Office. The woman stated that unidentified Portland Police officers were "corrupt" and were allowing drug trafficking and other crimes to take place in her outer Southeast Portland neighborhood. She also said that an officer inappropriately took a burglary suspect to the suspect's home and failed to report his name or the attempted burglary. An IPR investigator attempted to substantiate her claim but could not find any record of Police Bureau officers being dispatched on a burglary call at the location given by the complainant. **Status: Dismissed by IPR.**
- Several Police Bureau officers were dispatched to a residential treatment center on a call of an out-of-control patient. The patient was physically resisting the center's staff. During the struggle to gain control of the patient, it was reported that one officer kicked the patient in the stomach. The patient apparently did not receive any injuries requiring medical

treatment. The officer did not complete a report documenting his actions on this dispatched call prior to ending his shift nor did he receive permission from a supervisor to do so.

**Status: Referred to IAD for investigation.**

- A community member complained about how officers stop violators in a lane of travel on Naito Parkway (along the Waterfront) rather than pulling over into the parking areas. There were no specifics as to dates, times, or officers. **Status: Dismissed by IPR.**

## MEDIATIONS

Mediation allows community members and officers to voluntarily come together to discuss their concerns in a respectful, constructive manner; an impartial, professional mediator facilitates the session. Both parties are heard in a confidential and neutral setting with the goal of gaining a better understanding of one another's perspective about the incident.

In the second quarter, IPR had three mediation requests. In the first case, the complainant did not respond to IPR's letters or phone calls to schedule the mediation. The officer declined to mediate in the second case and the third case has been assigned to a mediator and the session will occur in July.

## INVESTIGATED CASES

Senior Bureau management reviewed five investigations in the second quarter of 2010.

Commanders recommended sustained findings in four of the five cases. *Examples include:*

- A witness officer attempted to stop an individual riding a motorcycle after the officer observed the motorcyclist weaving in and out of traffic and yelling insults at motorists. After a short pursuit, during which the subject crashed his motorcycle into a curb, the involved officer found the subject hiding near a tree and attempted to arrest him (prior to the arrival of cover officers) resulting in an altercation where the subject resisted the involved officer's efforts to take him into custody. The involved officer used his fists and flashlight blows to gain control of the subject. **Finding:** The involved officer forced the subject to the ground without waiting for the assistance of cover officers. **Sustained.**  
**Finding:** The involved officer used his flashlight to strike the subject about the head and shoulders. **Sustained.**
- A Police Bureau member made and received personal phone calls on his Portland Police Bureau issued cellular phone. The calls were made and received while the officer was both on and off duty. **Finding: Sustained.**



*Left to right: Sylvia Zingesser (National Alliance on Mental Illness), Rochelle Silver (CRC member), Debbie Aiona (League of Women Voters), and Michael Bigham (CRC Chair) discussing public concerns at a Taser/Less-lethal Force Workgroup meeting. June 2010*

## COMMENDATIONS

The Police Bureau receives commendations — thanking specific officers for their exemplary work. Copies of a commendation are sent to the officer and his/her supervisor, and are retained in the officer's history file. *Examples include:*

- A child was struck by a vehicle in a crosswalk. The responding officer immediately arranged for the street stripes to be repainted and coordinated efforts with the Police Bureau's Traffic Division to set up an observation of pedestrian activity at that corner.
- A man from out-of-state said he and his wife were searching for their missing daughter. The couple said that during a time of great stress, the two case-assigned Central Precinct officers were extremely courteous, helpful, and professional.

## CRC WORKGROUPS

### 1. Appeals

The Appeals Workgroup drafted Protocol 5.11 regarding Case File Reviews. The members also revisited the timelines in Protocol 5.03 which relates to Appeals Procedures — for modifications as they are impacted by other efforts this workgroup is conducting. The workgroup has also been looking at the Structure Review report proposals because some relate to appeals.

### 2. IPR Structure Review

The IPR Structure Review Workgroup was formed in September 2008 to evaluate, prioritize, and respond to the remaining recommendations made in the 2008 Performance Review of IPR, the complaint handling process, and citizen oversight.

Its report has six-primary focus areas: the Complaint Process, the Mediation Policy and Procedure, Staffing and Training Issues, Policy Development, Outreach, and Transparency. The workgroup reviewed and considered the current practice in each area, evaluated the changes, made recommendations for improvement, as well as increased citizen oversight.

Workgroup members are scheduled to present its report to City Council on July 14, 2010. The presentation will be an overview of the report's outlined recommendations, with a brief history including reasons for the workgroup's formation.

### 3. Outreach

The Outreach Workgroup members advanced their efforts on the outreach action plan and have scheduled additional work on that plan. They continued planning for the next Community Public Forum — to be held on October 28, 2010. A summary of the Community Public Forum held on March 14, 2010, was published and is posted on the IPR/CRC website for public viewing.

### 4. Police Assessment Resource Center

The PARC Workgroup report has been completed and was released to the public on June 9, 2010. The PARC report is scheduled for presentation to City Council on July 15, 2010, and it will also be made available to the Police Accountability Stakeholders Group members for their review.

### 5. Protocol

The Protocol Workgroup was very active during the last quarter revising protocols: 5.04 Communication Guidelines; 5.07 Public Comment; 5.12 Work Group; and 5.14 Request for Reconsideration of CRC Decision. The workgroup reviewed possible changes to other protocols that may be affected by the IPR Structure Review and Bias-based Policing Workgroups' reports.

### 6. Recurring Audit

The Recurring Audit Workgroup began its case file review of 21 recently closed Service Improvement Opportunities. It expects to complete the review during the third quarter of 2010 and provide written feedback to IPR, the Police Bureau, and CRC.

### 7. Taser / Less-lethal Force

With the help of IPR's data analyst, Derek Reinke, the workgroup has created a checklist for reviewing taser/less-lethal force cases and is starting to review it. The workgroup decided to also review IPR dismissals and IAD declinations, along with fully-investigated cases.



*A presentation for the African American Chamber of Commerce (AACC). Photos courtesy of Phoenix Lotus Photography.*

*Left to right front photo: Ayoob Ramjan (CRC member), Irene Konev (IPR staff), F.G. (Jamie) Troy II (CRC member), and Roy Jay (President of AACC and Alliance of Minority Chambers). May 2010*



## IPR OUTREACH UPDATES

Further outreach occurred with the support of CRC members who, together with Community Outreach Coordinator (Coordinator) Irene Konev, heard community concerns and facilitated trust building at: African American Chamber of Commerce, Muslim Educational Trust, Native American Youth and Elder Council, National Association for the Advancement of Colored People, and Oregon Native American Chamber Luncheon. Deep gratitude goes to these hard-working CRC volunteers.

Coordinator Konev attended, networked, and/or presented to: the immigrant community at the Center for Intercultural Organizing Fundraising Dinner, Good in the Neighborhood event, Asian Affairs, Central Northeast Neighborhood Coalition, as well as a college sociology class and a Slavic nutrition class (presented in Russian).

IPR Investigator Mike Hess made a presentation in Spanish (with Konev) to a women's support group, Worker's Rights Education Project, and Kelly Elementary School. IPR Assistant Director Constantin Severe attended the Crisis Intervention Training Advisory committee and Developmentally Disabled Advisory Committee meeting. IPR Director Mary-Beth Baptista presented to Mozambique international delegates about the powers and duties of IPR and CRC.

In the safe space of an organization, which a trusted relationship has been built, IPR Investigator Hess met with a complainant. Bringing Hess directly to him for an interview made the man feel emotionally safe when explaining his incident.

*IPR Investigator  
Mike Hess*



*IPR Assistant Director  
Constantin Severe*

*IPR Director  
Mary-Beth Baptista*

### CRC Public Meetings Schedule

Second Wednesday Each Month  
(Subject to Change\*)

August 11	City Hall — Lovejoy Room @ 5:30 PM
September 14*	City Hall — Rose Room @ 5:30 PM
October 13	City Hall — Lovejoy Room @ 5:30 PM