

QUARTERLY REPORT

INDEPENDENT POLICE REVIEW AND CITIZEN REVIEW COMMITTEE



www.portlandoregon.gov/auditor/ipr

Second Quarter 2011

IPR DIRECTOR'S REPORT

by Mary-Beth Baptista, Director



Management and staff of the Independent Police Review (IPR) division are honored to announce that its Community Outreach Coordinator Irene Konev was a winner of a City of Portland Diversity Champion Award. Since 2007, the city has annually acknowledged extraordinary contributions to diversity by giving awards to city bureaus, bureau diversity committees, individuals, and other committees or groups. She was selected for an individual award for her work to improve community trust and relationships with diverse groups in the Portland community in 2010. She was recognized by City Council at a public ceremony.

Ms. Konev and Assistant Director Constantin Severe organized and facilitated an orientation program for newly appointed and returning Citizen Review Committee (CRC) members. The orientation consisted of three sessions over four weeks. Each meeting focused on a different facet of police oversight including: (1) the history, powers, and duties of the Auditor's Office and IPR; (2) an

explanation of the structure of Internal Affairs (IA) and the complaint handling process; (3) and CRC's outreach agenda, overall goals, priorities and responsibilities. The orientation served to strengthen relationships between the Auditor, IPR staff, and CRC members — as well as IA personnel and the public.

Also, IPR released its eighth annual report. Complaint intake and processing data for 2010 are detailed, as are major policy and program changes. The annual report, previous reports, and more information can be accessed at the IPR/CRC web site.

CRC CHAIR'S REPORT

by F.G. (Jamie) Troy II, Chair



CRC held elections for its officers at the April meeting; I was honored to be elected Chair by CRC. Congratulations to our other officers: Vice-Chair Michael Bigham and Recorder Jeff Bissonnette. Everyone looks forward to a productive working relationship.

At the May CRC meeting, the Office of Independent Review (OIR) presented its plans for reviewing officer-involved shootings (OIS) and in-custody deaths (ICD) under its latest contract. In June, IPR presented its 2010 annual report and discussed the new process for IPR to be notified of and respond to OIS and ICD incidents.

CRC held its annual retreat on May 7th to discuss the year ahead and process the year concluded. The members had an opportunity to get acquainted in a less formal setting and collaborated to set future goals for CRC. They also focused on working with City Council to ensure further ordinance changes are voted on in the near future as they relate to CRC's role in the citizen oversight system of the Portland Police Bureau (Police Bureau).

Finally, a Community Public Forum was conducted on June 22nd in northeast Portland. Many kudos to the Outreach Workgroup for its hard work in putting this event together and to all CRC members for their participation. Community members from various backgrounds attended this gathering and shared their perspectives on the Police Bureau and their interactions with police in Portland.

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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CITIZEN REVIEW COMMITTEE

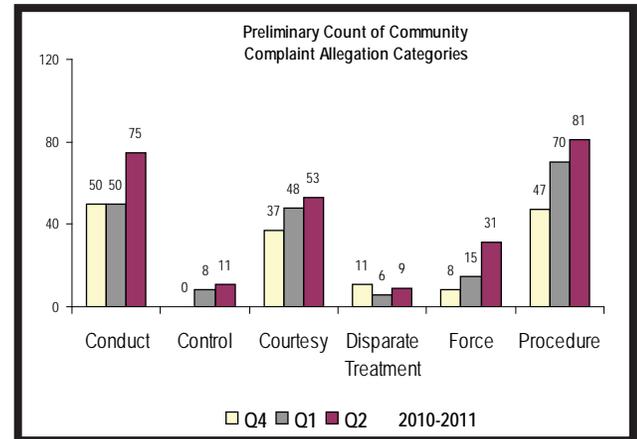
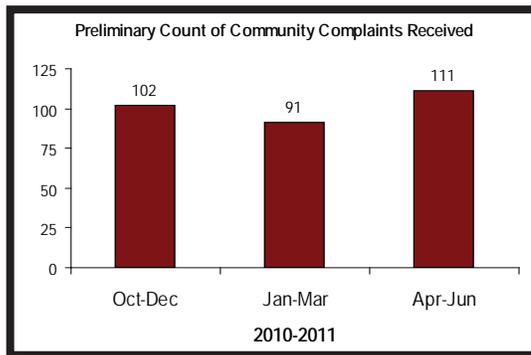
Community Oversight of Portland Police Bureau

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.

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CASE STATISTICS

IPR records and tracks all community 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 community complaints, completed investigations, and officer commendations from the reporting period to provide examples for the following sections.

NEW CASES

- A mother filed a complaint that her 14 year-old daughter was injured when she was thrown to the ground at Pioneer Courthouse Square by two or three Police Bureau officers. During IPR's investigation, it was learned that the involved officer arrived to assist a young woman who was in medical distress due to a drug overdose. When an Emergency Medical Technician (EMT) was attempting to treat the young woman, she proceeded to hit and kick the EMT. At that time, the involved officers restrained the teenage girl so she could be transported to a hospital.

Status: IPR Dismissal

- A woman sent a letter to Senator Ron Wyden's office stating that unidentified Portland Police officers were corrupt, moved several North Portlanders into her neighborhood, and have allowed drug trafficking and other crimes to take place in her neighborhood. She said an officer inappropriately took a burglary suspect to the suspect's home and failed to report his name or the attempted burglary. The Senator's office forwarded the complaint and IPR made several attempts to confirm the woman's concerns through a search of the police dispatch database and several interviews with the complainant, but it could not find any such reported incidents.

Status: IPR Dismissal

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 neutral and confidential setting. The goal is to gain a better understanding of one another's perspective about the incident.

IPR received one mediation request in the second quarter; it was processed for mediation in May.



Left to right: IPR Director Mary-Beth Baptista, CRC Recorder Jeff Bissonnette, and IPR Analyst Derek Reinke presenting the 2010 Annual Report to City Council – June 15, 2011.

INVESTIGATED CASES

Senior Bureau management reviewed 15 completed misconduct investigations during the quarter. Many of the complaints involved more than one officer and alleged several acts of misconduct.

Commanders recommended at least one sustained finding in seven of the 15 cases, and suggested an officer debrief in five of the eight 'non-sustained' cases. *Examples include:*

- An off-duty Police Bureau member was arrested by the Washington State Patrol for "Driving Under the Influence of Intoxicant" (Alcohol). An administrative investigation to determine, whether the member's action brought discredit or reproach to the Police Bureau, was initiated that led to a Police Review Board being convened to hear the matter.

Findings: Sustained

- A man at a MAX train station in Clackamas County was rushing to purchase a ticket when several officers from different police departments arrived. When the officers asked him for his proof of fare, his expired and suspended driver's license was seized. The man stated he felt demeaned by the encounter. One of the officers was a Police Bureau member but the man said that officer did not make offensive comments.

Findings: Exonerated with a debriefing

COMMENDATIONS

The Police Bureau and IPR receive 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 Bureau supervisor stated that two officers observed two subjects who resembled the description in an armed robbery incident. They contacted the subjects, conversed with them, and then performed a pat-down for weapons — finding a loaded handgun on one subject. Their diligence and quality investigation led to the arrest of one of these armed suspects.
- A woman thanked an officer who went above the call of duty to locate her so her car would not get towed from a 'poorly-marked' loading zone. She commented that it is nice to know decent people are on the Portland police force.



CRC members held its Community Public Forum on Police Accountability at the Portland Community College Portland Metropolitan Workforce Training Center on NE 42nd Avenue.

CRC WORKGROUPS

1. Appeals

The Appeals Workgroup met five times this quarter to develop and fine-tune two alternative versions of Protocol 5.21, Appeals Process Advisor (APA). Multiple community members, including former CRC members who have served in the past as APAs, a representative of the National Lawyer's Guild, Portland Copwatch, and the League of Women Voters all had input into discussing and crafting the proposals. The workgroup last met on June 28th with Captain Dave Famous to discuss the Police Bureau's perspective on the competing proposals and to better understand under what circumstances it would agree to make Internal Affairs files accessible to future APAs. Both versions will be presented to the full CRC at the monthly meetings in the third quarter of 2011 for discussion and then approval of a final version.

2. Outreach

The Outreach Workgroup held a successful Community Public Forum on June 22nd at the Portland Community College (PCC) Metropolitan Workforce Training Center on Northeast 42nd Avenue. Approximately 20 community members attended and addressed CRC about police services and how to access IPR services. The results of the June forum will be posted on the IPR/CRC website in the near future. The workgroup will seek to schedule its next public forum in a location in southeast Portland.

3. **Portland Police Bureau Recruitment and Retention**
 The Recruitment and Retention Workgroup is a new CRC workgroup which seeks to assess the policies and procedures used by the Portland Police Bureau in recruiting, retaining, and promoting its members. One of the early goals of the workgroup will be to determine the means (formal and informal; objective and subjective) used by the Police Bureau in selecting officers for promotion to higher ranks and supervising positions. In addition, the workgroup plans to examine the qualifications and procedures used by the Police Bureau in recruiting new members, and how it specifically measures and evaluates officer performance for purposes of determining promotion, retention, retraining, or separation.

4. **Protocol**
 The Protocol Workgroup has suspended any further meetings pending City Council's adoption of the Police Oversight Stakeholder Committee's recommendations; it will resume at that time.

5. **Recurring Audit**
 The Recurring Audit Workgroup has reconvened. The workgroup's focus is to evaluate all dismissals data regarding community members' complaints to assess if correct policies and sufficient analysis were performed.

6. **Taser/Less-lethal Force**
 The Taser/Less-lethal Force Workgroup met with a Training Police Bureau representative and Captain Dave Famous to review training protocols for less-lethal force options. The workgroup is also preparing its recommendations and it plans on forwarding them to the full CRC for review during the third quarter of 2011.



At the monthly meeting, each CRC member was presented a certificate award for Volunteer Appreciation Month. Left to right: Mr. Loren Eriksson and City Auditor LaVonne Griffith-Valade – April 13, 2011.



Upper left to lower right: IPR Director Baptista and Ms. Konev – Commissioner Leonard presented the award to Ms. Konev – CRC member Dr. Silver, Ms. Konev, and CRC member Mr. Yarosh.

IPR OUTREACH UPDATES

IPR's Community Outreach Coordinator (Coordinator) Ms. Irene Konev built, sustained, and expanded awareness of IPR's commendation and complaint process by networking with and presenting to:

- Hispanic Metropolitan Chamber of Commerce
- Portland City Club
- African American Alliance Community Unity Breakfast
- PCC Sylvania – Women's Resource Center
- Native American Youth Association
- Community and Police Relations Committee
- Gang Task Force Meeting
- Asian Pacific American Network of Oregon
- Confederated Tribes of Grand Ronde

The Office of Independent Review is conducting a review of officer involved shootings and in-custody deaths. Ms. Konev coordinated meetings between OIR and Portland's diverse community including pastors, Human Rights Commissions, Copwatch, and others.

The Coordinator collaborated with the Auditor and Ms. Tiffini Penson (Mayor's Office) to recruit and hire an intern from the Summer Youth Connect Program.

CRC Public Meetings Schedule

Second Wednesday of each month
 (Subject to change*)

August 10	City Hall – Lovejoy Room @ 5:30 PM
September 14	City Hall – Rose Room @ 5:30 PM
October 12	City Hall – Lovejoy Room @ 5:30 PM