

QUARTERLY REPORT

Independent Police Review (IPR) — Citizen Review Committee (CRC)



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Third Quarter 2011

IPR DIRECTOR'S REPORT

by Mary-Beth Baptista, Director



IPR Assistant Director Constantin Severe, IPR Senior Management Analyst Derek Reinke, CRC Recorder Jeff Bissonette, and I attended the National Association for Civilian Oversight of Law Enforcement (NACOLE) annual conference in New Orleans September 12-15, 2011. The

conference offered informative sessions on topics including: police oversight of critical incidents, electronic control weapons, and keys to success in making police reforms endure. I was on a NACOLE panel that presented on the topic of "Discipline Decisions that Stick."

IPR launched the 2011 CRC recruitment in September. Over 100 letters were sent to elected officials, judges, attorneys, community-based and faith-based organizations, as well as other members of the Portland community who have shown interest in serving on CRC. IPR received 30 applications for five positions. In October, a selection committee will review the applications and will then interview the top ranking applicants.

Community Outreach Coordinator Irene Konev worked with the City Auditor and Teffini Penson (Mayor's Office) to recruit and hire an intern from the Summer Youth Connect Program. The goal of the program is to expose the youth of Portland's diverse community to career opportunities while enhancing academic and marketable skills. Lawashia Smith's IPR internship began in July. She worked with Konev to connect IPR to the Portland youth and provided feedback on improvements to IPR's outreach materials — job well done! Smith was selected to speak to over 100 interns in the program on how the internship affected her outlook on her future.

CRC CHAIR'S REPORT

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



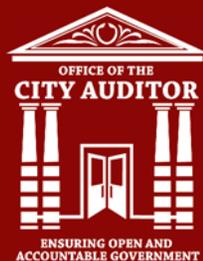
CRC convened monthly meetings, each of which was eventful. At the July meeting, CRC conducted its file review of Officer Lindsay Hunt's matters. While this was not a formal appeal, it was an opportunity for CRC to review the police investigation into Hunt's concerns, hear from

her attorney as to their concerns with the police investigation, and provide feedback to the Portland Police Bureau (Police Bureau) as to why its process needs continued improvement. At the August meeting, CRC heard representatives of the Native American Rehabilitation Association about barriers with police oversight and building awareness around Native American culture. Also, CRC voted on a new protocol to improve the functioning of the Appeals Process Advisor by allowing him/her access to the confidential files to help prepare and play a more active role on behalf of the participant at an appeals hearing. At the September meeting, CRC discussed and voted on a list of nine priorities, asking City Council to take up, emphasizing some recommendations made by the Police Oversight Stakeholder Committee for further ordinance changes after those related to IPR's functioning passed in 2010.

I met with Mayor Adams and other public safety officials to discuss a draft form of CRC's recommendations. I attended a Police Community Relations Board meeting to hear about its use-of-force report. Also, I met with Police Bureau Assistant Chief Hendricks to collaborate on police functioning in the community. Assistant Director Severe and I appeared on KBOO radio for an interview and call-in show — promoting recruitment of new CRC members.

OFFICE OF THE CITY AUDITOR

The City Auditor's division of the Independent Police Review 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.



INDEPENDENT POLICE REVIEW

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CITIZEN REVIEW COMMITTEE

Community Oversight of Portland Police Bureau

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

Message: 503-823-0926

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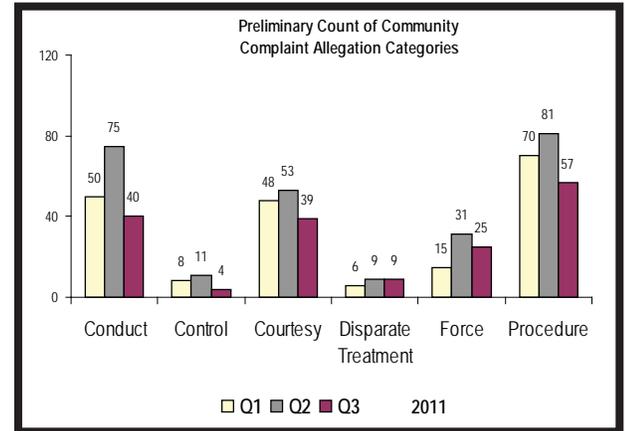
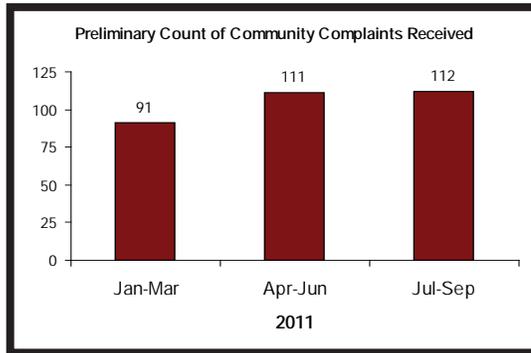
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CASE STATISTICS

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 North Portland resident filed a complaint about how a recent road rage incident that he was a victim of was handled. He stated that a sergeant contacted him and a friend and took their information. The sergeant said he would re-contact them but has not done so.

Status: IPR Investigation ongoing
- In a complaint referred to IPR by the Chief's Office, a man said he was awakened by a Police Bureau officer – loudly pounding on his door and accusing him of slipping a threatening flyer under a neighbor's door.

Status: IPR Investigation ongoing
- The father of a 15-year old voiced his dissatisfaction with how the taking of his daughter's iPhone was characterized by the investigating officer in his police report and with the quality of the investigation. The daughter told a responding officer that two high school aged males took her iPhone and then ran off. The police were called; the daughter was driven home and interviewed by a police officer. The investigating officer wrote a police report listing what occurred as a theft; the father believed it should have been listed as a robbery.

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 four mediation requests in the third quarter. The first case was mediated; the officer declined in the second case; the third case is going to trial in December 2011 so mediation is planned to take place after the trial ends; and the fourth case is scheduled for mediation in the next quarter.



Left to right: The Skanner's editorial board member Lisa Loving, Assistant Director Constantin Severe, Director Mary-Beth Baptista, and IPR Intern Lawashia Smith discuss the IPR/CRC oversight system and the 2011 CRC recruitment process – September 2011.

INVESTIGATED CASES

Senior Bureau management reviewed 13 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 three of the 13 cases, and suggested an officer debrief in seven of the 10 non-sustained cases.

- The investigation revealed that the paramedics on scene believed the individual was under the influence of heroin and at risk of overdosing; they decided that the man needed to be hospitalized. The responding officers attempted to take the subject into custody for hospitalization. He resisted, keeping one arm under his body and refusing commands to make both of his hands visible to the officers. The involved officer struck the back of the subject's arm in order to get him to show his hands.

In making his finding, the involved officer's Precinct Commander relied on state law that allows police officers to take a person who is incapacitated or whose health appears to be in immediate danger to an appropriate treatment facility. The Precinct Commander found the amount of force was reasonable in light of the circumstances faced by the involved officer.

In keeping with Portland Police Bureau policy, requiring debriefings of all use-of-force incidents (sustained or not sustained), the officer was debriefed by his immediate supervisor to discuss the incident and if there was something that the officer could have done differently or learned from the experience.

Finding: 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 parent explained that her developmentally-delayed adult daughter got off their tandem bicycle (without her knowledge) when they stopped to get out of the path of some runners.

She called 9-1-1: officers responded and located her daughter. She said they were kind and calm.

- A Central Precinct Commander said officers were dispatched to a pedestrian robbery. Within minutes, officers were dispatched to a similar robbery nearby, with similar suspect descriptions. Shortly, all five suspects were taken into custody and the stolen property was returned to its rightful owner.



Left to right: Citizen Review Committee members attending a CRC meeting in City Hall: Jeff Bissonnette, Loren Eriksson, Ayoob Ramjan, Hank Miggins, and Michael Bigham — 2011.

CRC WORKGROUPS

1. Appeals

The Appeals Workgroup presented two competing versions of Protocol 5.21 — Appeals Process Advisor (APA) to CRC for review and discussion at its July meeting. After much public discussion and comment, a new protocol (which allows for a more active role by the APA) was adopted and approved by the full CRC in August. The workgroup is updating the APA Guidelines in light of the Protocol 5.21 changes. A proposal was submitted at the October CRC meeting for review and discussion, with a formal vote taking place at a subsequent meeting.

2. Outreach

The Outreach Workgroup held three planning sessions preparing for the next community public forum. In addition, the Auditor has approved funds for a process evaluation facilitator for the upcoming forum.

SAVE THE DATE

- DATE: Thursday, January 26, 2012
- TIME: 6:00 p.m. to 8:00 p.m.
- LOCATION: East Portland Community Center
740 S.E. 106th Avenue, Portland, Oregon 97216
- Light refreshments will be served

3. Protocol

The Protocol Workgroup has suspended any further meetings pending City Council's action in response to the Police Oversight Stakeholder Committee's recommendations.

4. Recruitment, Retention, and Promotion

The Recruitment, Retention, and Promotion Workgroup will assess the Police Bureau's policies and procedures used in recruiting, retaining, and promoting its members. The plan is 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. Its recruitment qualifications and procedures will be examined, as well as how it specifically measures and evaluates officer performance for purposes of determining promotion, retention, retraining, or separation. The workgroup has an ongoing dialogue with the Community and Police Relations Committee determining if a joint project is feasible.

5. Recurring Audit

The Recurring Audit Workgroup has started its process to review cases dismissed by IPR. The workgroup will be reviewing a sample of these complaints over the next quarter. Upon completion of this review, the workgroup will draft a brief public report with its recommendation(s).

6. Taser/Less-lethal Force

The Taser/Less-lethal Force Workgroup met with representatives from the Police Bureau's Training Division to talk about policy issues and how policies are formulated. The workgroup is working on its draft report and plans to present it to the full CRC for discussion and approval by the end of this year.



Left to right: An international visitor from Indonesia (via the World Affairs Council of Oregon Leadership Program), Community Outreach Coordinator Irene Konev, Director Mary-Beth Baptista, the interpreter, and IPR intern Lawashia Smith — September 2011.

IPR OUTREACH UPDATES



Irene Konev

Community Outreach Coordinator Konev and IPR Intern Lawashia Smith had a busy summer of outreach. Many CRC recruitment strategies were set in motion including one-on-one meetings, sending letters and electronic communications, and tabling events. They coordinated meetings for current CRC members to attend as well as present to potential CRC applicants. Outreach focus was primarily on women and Portland's diverse community.

Networking took place with the following:

- Russian Speaking Network
- Immigrant Refugee Community Organization
- Race Talk Dialogues at Kennedy School
- Asian Pacific American Chamber of Commerce
- Hispanic Metropolitan Chamber of Commerce
- Native American Chamber of Commerce
- Philippine American Chamber of Commerce of Oregon
- Federation of Philippine American Chambers
- Oregon Bar Association
- The Governor's Office — staff members of Economic and Business Equity/Diversity and Inclusion (Affirmative Action)
- Native American Rehabilitation Association
- National Night Out
- Mexican Consulate staff members
- Local beauty salons
- Churches of various denominations
- KGW — Estrella TV (Hispanic TV program)
- Oregon Action
- National Association for the Advancement of Colored People

Konev arranged meetings with several IPR staff members, the IPR intern, and the editorial boards of The Skanner and The Observer. CRC Chair Troy and IPR Assistant Severe participated in a one-hour segment on KBOO radio to expand awareness of IPR/CRC and the 2011 CRC recruitment process.

CRC Public Meetings Schedule

Second Wednesday of each month
(Subject to change*)

November 9	City Hall — Lovejoy Room @ 5:30 PM
December 7	City Hall — Lovejoy Room @ 5:30 PM
January 11	City Hall — Lovejoy Room @ 5:30 PM