

Minutes
Citizen Review Committee
May 1, 2013

Date Approved: July 10, 2013

Meeting Location: Lovejoy Room, 2nd Floor, Portland City Hall

Chair Troy called the meeting at 5:38 pm.

Introductions and Welcome

Citizen Review Committee (CRC) Members Present: Jamie Troy (Chair); Michael Bigham, Jeff Bissonnette (delayed arrival), David Denecke, Rodney Paris, Dr. Rochelle Silver, Steve Yarosh

City staff: Rachel Mortimer, Assistant Program Manager, Independent Police Review (IPR)

Appeal Process Advisor (APA): Eric Terrell

Portland Police Bureau: Captain Dave Famous, Professional Standards Division; Lieutenant Jeff Bell, Internal Affairs

Community and Media: Dan Handelman (Portland Copwatch and Flying Focus Video), Regina Hannon (Portland Copwatch), Debbie Aiona (League of Women Voters), Pamela Dunham, Michael Meo (Pacific Green Party), Kathy Maher, Jim Young, Keeble Giscombe, Denis Theriault (Portland Mercury)

Minutes of 4/3/13 CRC Meeting

Chair Troy made a motion to approve the minutes of the 4/3/13 CRC meeting. The minutes were unanimously approved.

Director's Report (Ms. Mortimer)

(See attached.)

Chair's Report (Chair Troy)

Contacted Mayor Hales's Office to arrange a meeting with the Mayor; reviewed last months CRC minutes; coordinated with IPR to ensure that all CRC members had reviewed the case file; arranged for the selection of APA Terrell for the current appeal.

Case File Review of Case #2012-C-0241 (CRC Appeal #2013-X-0002)

Chair Troy introduced the case file review and summarized the process. The appellant and the APA, Mr. Terrell, were present.

All CRC members present confirmed that they had reviewed the case file in its entirety.

Chair Troy presented a summary of the case, including the allegations and findings.

Captain Famous and Lieutenant Bell described the IA investigation.

CRC members asked IPR and IA questions about the investigations.

Ms. Mortimer was asked to discuss why the disparate treatment allegation was dismissed by IPR. She explained that after two interviews with the complainant this allegation could not be proven.

Mr. Bigham made a motion to ask IPR and IA to investigate Allegation #4 (disparate treatment).

The Appellant addressed this issue as follows:

“When we went to court, the judge asked him, ‘Why did you stop him?’ The officer said, ‘I thought he was a pimp.’ He didn’t say, ‘I saw him jaywalking.’ He said, ‘I stopped him because I thought he was a pimp.’ Then the judge more or less gave him precedent, because the judge told me, ‘It doesn’t matter how bad they talked to you. I believe you jaywalked.’”

[Mr. Bissonnette arrived at 6:34 p.m.]

Chair Troy stated the following: “I hear what everyone is saying, and I think everyone has made excellent points. My concern is what authority we have under the ordinance to require IPR to take any further action, and I’ve searched for it within the ordinance and within the protocols, and I’m not seeing it. ... I think that Ms. Mortimer has indicated that, from her perspective, she did identify this issue; she did have an investigator call the Appellant again and try to ... pin down a disparate treatment claim, and didn’t believe there was enough there to even send it forward for investigation. I think that another person might have disagreed and had a different analysis than Ms. Mortimer, but I don’t know that I see any authority for us to move forward on the motion that you’ve given us.”

Following further discussion and public comments supporting the motion made by Mr. Bigham, a vote was taken, and the motion carried by a vote of 5-2.

Yes: Bigham, Bissonnette, Denecke, Silver, Yarosh

No: Paris, Troy

It was decided at this point that it would be premature to schedule an appeal hearing on this case until an answer is received from IPR on whether or not Allegation #4 would be forwarded to Internal Affairs for investigation.

Old Business

None.

New Business

CRC Elections:

Chair: Dr. Silver nominated Mr. Troy to continue as CRC Chair. Mr. Denecke seconded the nomination. No further nominations were received. Chair Troy accepted the nomination and was unanimously elected.

Vice-chair: Dr. Silver nominated Mr. Bissonnette as CRC Vice-chair. Chair Troy seconded the nomination. No further nominations were received. Mr. Bissonnette accepted the nomination and was unanimously elected.

Recorder: Dr. Silver nominated Mr. Denecke as CRC Recorder. Mr. Bissonnette seconded the nomination. No further nominations were received. Mr. Denecke accepted the nomination and was unanimously elected.

Workgroup Updates

Crowd Control Workgroup (Mr. Paris): There was no update at this time. The next meeting is scheduled for 5/3/13 at 12:00 p.m.

Outreach Workgroup (Dr. Silver): The workgroup met today. Mr. Bissonnette is pursuing talking to a group that CRC would like to align itself with for the next public forum. Dr. Silver volunteered to represent CRC at the Gay Pride Parade. Dr. Silver asked for volunteers to represent CRC at the upcoming walk in support of NAMI. The next meeting is scheduled for 6/6/13 at 4:00 p.m.

Recruitment, Retention, and Promotion Workgroup (Mr. Yarosh): The workgroup met on 4/19/13. The next meeting is scheduled for Thursday, 5/16/13 at 10:00 a.m. in the Auditor's Conference Room. Lieutenant Chris Davis has been invited to address retention in the Police Bureau and the five-year drift issue.

Recurring Audit Workgroup (Mr. Bissonnette): The workgroup was scheduled to meet on the 4/26/13 but was cancelled and will be rescheduled.

Use of Deadly Force Workgroup (Mr. Denecke): The workgroup met on April 17 with Captain Alexander and SERT and had a thorough discussion of SERT's use of force policies. A meeting will be scheduled in May, and on June 11 the workgroup will meet

with Dr. Garrison regarding her role in use of force issues. Mr. Denecke added that he and Mr. Bigham met with City Commissioner Steve Novick.

Public Comments

Mr. Handelman, Ms. Hannon, and Ms. Aiona provided public comments.

Wrap-up Comments

Mr. Bissonnette announced that a Training Advisory Council meeting is scheduled for Thursday, 5/2/13 at the PPB Training Center on NE Airport Way.

Mr. Yarosh thanked Chief Reese for his support of Senate Bill 833 on Driver's Licenses for persons who are in the process of gaining legal status in the United States: welcomed Lieutenant Bell and expressed appreciation for his briefing at tonight's meeting; commented that it was a good, robust discussion tonight and that he looks forward to getting a definitive ruling on CRC's power with regard to what they voted on tonight.

Adjournment

Chair Troy adjourned the meeting at 7:47 p.m.