



CITIZEN REVIEW COMMITTEE MEETING

Community Oversight of Portland Police Bureau

City of Portland / City Auditor
Independent Police Review (IPR)
Citizen Review Committee (CRC)

Minutes

Date: Wednesday, January 8, 2014 (meetings are typically held the first Wednesday of each month)
Time: 5:30 pm * *Please Note: agenda times are approximate*
Location: **Room C, Portland Building (2nd Floor), 1220 SW 5th Avenue, Portland, OR 97204**

Attendance: Jeff Bissonnette, David Denecke, Roberto Rivera, Teresa Baldwin, Constantin Severe, TJ Browning, Dave Famous, Patrick Kane, Denis Theriault, Diana Martinez, Eric Terrel, Barbara Ross, Debbie Aiona, Regina Hannon, Dan Handelman, Rochelle Silver, Rodney Paris, James Simmons, Ted & Kalei Luyben, Jason Mohabir,

AGENDA

5:30 pm—5:45 pm Introductions and Welcome (CRC Vice Chair Jeff Bissonnette)
[Approved December 4, 2013 Meeting Minutes](#)

5:45 pm—6:00 pm Director's Report (IPR Director Constantin Severe)

- [City Council approved IPR proposed code changes which will take effect in 30 days](#)
- [The code changes required CRC to have 11 members and will serve on PRB on a rotation basis](#)
- [IPR is now able to directly question all PPB employees](#)
- [CRC will have to comply with the 21 days requirement once the DOJ settlement is finalized](#)

6:00 pm—6:15 pm Chair's Report (Vice Chair Jeff Bissonnette)

- [Reviewed the appeal case files and wrote case file summary for the 2013-C-0099](#)
- [Met with Irene to talk about CRC's issues](#)

6:15 pm – 7:15 pm **Appeal Hearing: Appeal 2013-C-0099/2013-X-0004**
Case Summary
Allegation that Sergeant A acted in an unprofessional manner while off-duty

- [Sergeant A comments on the case:](#)
 - [He never owned a white BMW](#)
 - [He never had an altercation with anyone off duty](#)
 - [He works out at L.A fitness in Gresham 4-5 days a week](#)
 - [He does not take a firearm to the gym unless he is on call](#)
 - [He does not own a revolver. He only has a Glock 26 which he locks up in his safe at all times](#)
 - [He would like to change the finding from unproven to exonerated](#)
- [Director Severe presented IPR's side of the investigation:](#)
 - [If IPR look at this case in a fact finder's perspective, the finding would've been exonerated](#)
 - [IPR thought this case should not go to the Police Review Board](#)
 - [There is sufficient evidence that Sergeant A was not there during the incident](#)
- [Captain Famous presented IA's outline of the investigation:](#)
 - [Complainant was interviewed several times](#)
 - [Investigators concluded that you have to work for a dealership to be able to drive a car with a dealership license plate](#)

- CRC member questions for this case:
 - Dr. Silver asked Sergeant A to explain the difference between his police issued pistol and the one that he own at home. She also asked the difference between a Glock and a revolver
 - Denecke asked if the IA investigator made an attempt to find out who drove the BMW with the dealer plate. He also asked Director Severe the definition of “exonerated”
 - Bissonnette asked Director Severe if he were the fact finder, how did he come to the decision of “exonerated”
- APA rebuttal comments:
 - Sergeant A had over 20 commendations for the past 25 years of service and that is the proponent of evidence
 - Sergeant A completely cooperated with investigators
 - Sergeant A does not own a revolver
 - We need to keep good officers and we need to let them know when they are behaving correctly
- CRC members voted to challenge the findings from unproven to exonerated:
- Denecke and Paris have not review the audio from the case file review meeting, therefore, they both abstained from voting
 - Dr. Silver: YES there’s no evidence that Sergeant A was there
 - Bissonnette: YES, The finding commander was pretty clear in his finding memo that the officer didn’t have anything to do with this
 - Baldwin: YES no evidence sergeant A drove the BMW or showed the gun and badge
 - Rivera: YES no evidence that Sergeant A was there given the time it was described in the file
- CRC members voted to recommend Police Chief to start having a discussion on adding “unfounded” onto PPB’s findings policy. The definition of “unfounded” should also be discussed between CRC members and PPB in future CRC meetings
- Dr. Silver: YES
- Paris: YES
- Bissonnette: YES
- Denecke: YES
- Baldwin: YES
- Rivera: YES

7:15 pm – 7:20pm Break

7:15 pm – 8:15 pm **Case File Review: Appeal 2013-C-0030/2013-X-0005**

Case Summary

Allegation that officer A acted in an unprofessional manner and failed to read the Miranda warning prior asking questions. Appellant also states that officer A improperly entered his home and searched his bedroom without permission

- IPR side of the investigation:
 - Complaint was filed with IPR in Feb, 2013
 - Investigation was able to determine there were 3 PPB officers involved
 - Appellant was in PPB custody for about 45 min before being transferred to Washington County
- IA side of the investigation:
 - The case started out with Washington County Sheriff’s Office and was handled by a law student with the District Attorney’s Office
 - IA interviewed officers A, B and C. Officer C served as a witness
 - Officer B is no longer with the PPB
 - IA unable to reach appellant’s former roommate who was the civilian witness to the incident
- CRC members questions:
 - Rivera had several questions:

- Was there a second Washington County officer involved in the case?
- Did the appellant received medical evaluation after being taken into custody?
- Is it possible to interview the intake Washington County officer who processed the appellant to see if he had any health concerns?
- Baldwin asked how does someone get assigned as a coach/mentor to a new police officer
- Dr. Silver asked if officer B was let go by the Bureau
- CRC members voted to schedule an appeal hearing on February 5
 - Dr. Silver: YES
 - Paris: YES
 - Bissonnette: YES
 - Denecke: YES
 - Baldwin: YES
 - Rivera: YES

8:15 pm – 8:20 pm Break

8:20 pm – 8:35 pm New Business

- 1) DOJ Fairness Hearing testimony
 - Denecke will draft a written testimony from the CRC to Judge Simon
 - CRC will then discuss the letter at the next CRC meeting
- 2) Discussion on new CRC meeting locations (Jamie Troy/Irene Konev)
 - Meeting at non downtown location once every quarter
 - Bissonnette suggested that IPR provide a schedule and a list of locations at the next CRC meeting for discussion

8:35 pm – 8:50 pm Old Business

- 1) Recurring Audit Workgroup – status of case dismissal project
 - Will call Derek Reinke tomorrow

8:50 pm—9:10 pm Workgroup Updates: Please provide the following information —

- 1) Brief summary of the goals and objectives of your workgroup
- 2) Date of last meeting
- 3) Brief summary of the work done at your last meeting
- 4) Next scheduled meeting
- 5) Main topic to be discussed/addressed at the next meeting
- 6) Any assistance from IPR or CRC needed to achieve your goals

ACTIVE WORKGROUPS

1. Crowd Control Workgroup (5 min.)

MISSION STATEMENT: The Crowd Control Workgroup examines existing crowd control policies, training, and tactics of the Portland Police Bureau, reviews crowd control best practices, legal standards and other information, and makes appropriate recommendations.

Chair: Rodney Paris / Members: David Denecke and Jamie Troy

IPR Staff: Derek Reinke, Senior Management Analyst

- Next meeting: Jan 16th at noon at Chair Troy's office
- Agenda: finalize recommendation for upcoming report

2. Outreach Workgroup (5 min.)

MISSION STATEMENT: The Outreach Workgroup, in coordination with the IPR Coordinator, identifies and continually conducts consistent outreach to neighborhood associations, community organizations, and business groups to make the general public aware of the existence of the Citizen Review Committee and its role in police oversight.

Members: Jeff Bissonnette, Dr. Rochelle Silver, and Jamie Troy
IPR staff: Irene Konev, Community Outreach Coordinator

- Held a meeting earlier today. Topics discussed:
 - Homelessness
 - What occurred in a police training
 - PPB stop and chat technique
- There was a suggestion to add more details into the outreach section of the Director's Report.
- Next meeting Wednesday Feb 5th at 4pm

3. Recruitment, Retention and Promotion (Portland Police Bureau) (5 min.)

MISSION STATEMENT: The Recruitment, Retention and Promotion Workgroup examines existing policies and practices of the Portland Police Bureau in recruiting, retaining and promoting its members, and formulates policy recommendations where needed.

Chair: Vacant/ Members: Teresa Baldwin
IPR staff: Anika Bent-Albert, Assistant Director

4. Recurring Audit (5 min.)

MISSION STATEMENT: The Recurring Audit Workgroup seeks to improve accountability of IPR and the Portland Police Bureau by reviewing closed cases to ensure procedures, policies and protocols are followed and will recommend improvements, if necessary.

Chair: Jeff Bissonnette / Members: Teresa Baldwin, and Rodney Paris
IPR staff: Derek Reinke, Senior Management Analyst

- Will talk to Derek Reinke

5. Use of Deadly Force Workgroup (5 min.)

MISSION STATEMENT: The Use of Deadly Force Workgroup examines Portland Police Bureau use of deadly force policies, directives, training and implementation in order to recommend and support any needed change in Portland Police Bureau use of deadly force.

Chair: David Denecke / Members: Dr. Rochelle Silver
IPR Staff: Derek Reinke, Senior Management Analyst

- Had a meeting on Tuesday, January 7
- Discussed new PPB Directives on use of deadly force

9:10 pm—9:25 pm Public comment and wrap-up comments by CRC members

TBA Adjournment

A request for an interpreter or assisted listening device for the hearing impaired or for other accommodations for persons with disabilities should be made prior to the meeting—please call the IPR main line 823-0146 (or TYY 503-823-6868).

Visit the website for more information regarding the Independent Police Review division, Citizen Review Committee, protocols, CRC meeting schedules, and approved minutes: www.portlandoregon.gov/auditor/ipr.

CRC Members:

1. If you know you will not be able to attend a CRC meeting or that you will be missing a significant amount of a meeting, please call or e-mail IPR in advance so that the CRC Chair may be made aware of your expected absence.

2. After this meeting, please return your folder so IPR staff can use it for document distribution at the next CRC meeting.

**Note: agenda item(s) as well as the meeting date, time, or location may be subject to change.*