



TO: Mayor Ted Wheeler
Commissioner JoAnn Hardesty
Commissioner Carmen Rubio
Commissioner Mingus Mapps
Commissioner Dan Ryan

Cc: Auditor Mary Hull Caballero

FROM: Ross Caldwell, Director

DATE: 3/18/2021

SUBJECT: IPR/IA Case 2019-C-0144

The above-noted appeal has been set on the City Council Agenda for Thursday, April 8, 2021 at 3:00 p.m.

It is the responsibility of the City Council to determine whether the Portland Police Bureau findings at issue in this appeal are “supported by the evidence.” A finding is supported by the evidence “when a reasonable person could make the finding in light of the evidence, whether or not the reviewing body agrees with the finding.” City of Portland Code Section 3.21.020 (S).

Issue Presented:

1. Is the Police Bureau’s finding of “Exonerated” supported by the evidence with respect to the allegation:

Officer A would not take a vehicle theft report from the Appellant. (PROCEDURE)
(Directive 630.61 – Stolen Vehicles)

The Citizen Review Committee (CRC) decided that a “Sustained” finding should have been made as to the allegation. At the conclusion of this hearing, the City Council must decide whether a reasonable person could conclude that a finding of Exonerated is supported by the evidence or not.

Procedural History:

❖ Date of Incident: 08/05/2018





- ❖ Date reported to IPR: 05/17/2019
- ❖ IPR intake investigation completed and approved by IPR Assistant Director: 06/03/2019
- ❖ IA full administrative investigation completed: 08/02/2019
- ❖ Internal Affairs approved of investigation: 08/06/2019
- ❖ IPR approved investigation: 08/06/2019
- ❖ IA investigation assigned to unit manager for recommended findings: 08/09/2019
- ❖ RU Manager's recommended findings to Branch Chief for recommended findings: 08/15/2019
- ❖ Recommended findings received by IA Captain: 08/15/2019
- ❖ Recommended findings sent to IPR for review: 08/15/2019
- ❖ IPR approved recommended findings: 09/02/2019
- ❖ IA Disposition letter prepared: 08/23/2019
- ❖ IPR sent out IPR closing letter and IA disposition letter: 08/29/2019
- ❖ Appeal Request received date: 09/19/2019
- ❖ CRC Case File Review/Appeal Hearing date: 12/04/2019
 - CRC voted 4-3 to challenge the finding of Exonerated for allegation 1 and recommended the finding of Sustained
 - CRC voted 7-0 to affirm the finding of Unfounded for allegation 2
- ❖ CRC Conference Hearing with Chief Lovell: 08/05/2020
 - CRC voted 6-2 to continue with previous motion to challenge finding of Exonerated and recommend the finding of Sustained on allegation 1





- ❖ Letter from Chief Lovell regarding sending the case back for additional investigation: 08/20/2020
- ❖ Additional investigation findings completed and approved by IA and IPR: 10/12/2020
- ❖ 2nd CRC Conference Hearing with Chief Lovell: 02/03/2021
 - CRC voted 6-1 to continue with previous motion to challenge finding of Exonerated and recommend the finding of Sustained on allegation 1
- ❖ Council Hearing date: 04/08/2021

Attachments:

1. City Council Appeals Protocol & City Ordinance.
2. Portland Police Bureau written statement.
3. Citizen Review Committee written statement.
4. Investigation case summary

