



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, July 10, 2019 (meetings are typically held the first Wednesday of each month)

Time: 5:30 pm * *Please Note: agenda times are approximate*

Location: **Lovejoy Room, Portland City Hall**. 1221 SW 4th Ave. Portland, OR 97204

Present: Kristin Malone, Candace Avalos, Neil Simon, Vadim Mozyrsky, Daniel Schwartz, Julie Falk, Jihane Nami, Hillary Houck, Andy Chiller, Sylvan Fraser, Amanda Lamb, Daniel Schwartz, Debbie Aiona, Barbara Ross, Maggie, Sam Bouman, Pamela Fitzimmons, Dan Handelman, Regina Hannon, Debbie Aiona

AGENDA

5:30 pm—5:35 pm Introductions and Welcome (CRC Chair Kristin Malone)
(Approved of April 3 and June 5, 2019 meeting minutes)

5:35 pm – 5:40 pm Director's Report (IPR Interim Director Amanda Lamb)

- Discussion on the code change regarding CRC participation on the Police Review Board: The way the current code is written 2 community members to sit on use of force cases or other specific criteria. The update to the City code is for 2 community members to sit on the PRB regardless of how the case got there. This code change will be present to Council in August.
- There's an idea of CRC participation on the PRB to be on a rotation list. One of the benefits to that is for the Bureau to work with that specific individual with more advance notice on scheduling the PRB hearing. Another option being discussed is in event that a CRC member is unavailable, then the Bureau can pull people from another pool.
- Vice Chair Avalos made a comment she expressed concerns with the PRB Coordinator Christopher Paille about not being able to access case file materials from home. She likes the idea of a rotation, but she doesn't have time during work hour to come into the Bureau and review the case file.
- Interim Director made a comment this is something that is on top of her list.
- Chair Malone asked Interim Director Lamb whether this is more of a policy issue than a technological issue
 - I don't know the answer to that.
- Chair Malone made a request that CRC would be the first to be asked about whether if anyone are available for a PRB hearing.
- Ms. Konev asked Vice Chair Avalos if having PRB meeting on certain days of the week would help?
 - To me its more of having the time to come and review the case file during work hours.
- Ms. Chiller made a comment she also agrees with Vice Chair Avalos comment about the issue of having to physically come in and review the case file.
- Chair Malone made a comment Mr. Paille from the Bureau did offered her the ability to come in and review the file after hours.

- Ms. Falk made a comment having advantage notice on the date of the PRB hearing would help. She is wondering if ex CRC members would be eligible to serve on the PRB?
- Chair Malone made a comment it would be great if former CRC members can be used as an emergency in case the Bureau cannot find current CRC members to attend a PRB hearing.
- Interim Director Lamb made a comment she will look into it. She is hoping to have some update by the next meeting.
- PRB recruitment update: IPR received 29 applications and interviewed 19 people. IPR is nominating 16 people to City Council. These candidates will need to pass the background check.
- Mr. Schwartz asked Ms. Konev if someone had gone through a background check process and found to be a felon. Can that person still serve on the PRB?
 - No per City code that person will be disqualified
- Chair Malone made a comment from what she understands a felon can serve on the CRC, but not on a PRB.
- Ms. Konev made a comment per City code, IPR Director can make the determination whether a felon can serve on the CRC.
- Mr. Simon expressed concerns that a felon can serve on the CRC, but not PRB.

5:40 pm – 5:45 pm Chair's Report (CRC Chair Kristin Malone)

- Chair Malone met with Interim Director Lamb and discussed PRB related issues and the new IPR director. She also met with the new CRC member Sylvan Fraser.

5:45 pm – 6:00 pm New/Old CRC Business

1) Discussion of Crowd Control forum (Vice Chair Candace Avalos)

- Vice chair Avalos provide a presentation of the feedback the workgroup received at the forum.
- People expressed concerns about officers use of equipment:
 - The police using pepper balls at close range.
 - Police using protected gears/ militarization. The gears seem to be heavy and affecting officer's movement.
 - Lack transparency on who get to decide which equipment are being used during a protest
 - Police officers hiding their name tags during protest.
 - Police officers are bias and favor one side of the protestors over another.
- People expressed concerns about officers use of de-escalation:
 - Police officers are bias and favor one side of the protestors over another.
 - Officer demeanors toward protestors. Officers are talking down to protestors. Favoring one side over another.
 - Communication ordering people to move needs to be more clear and give people time to disperse. Orders are too quick and harsh, so people don't respond well to that so it only escalating the situation.
- Couple positive feedbacks:

- Officers came up and confront a protestor and explain that they will be ticketed if they do that. Officer treated the person in a reasonable manner.
- Bicycle Officers being seen as more positive since they don't wear riot gear and used their bike to separate the two opposing side and helped de-escalate the tension.
- Chair Malone made a comment she had heard of the circumstance where officers were in the background and can be there at an instance. Another instance where officers are moving in way too early and that caused a flashpoint.
- There're consistent feedbacks at the dialogue regarding police expressing favoritism toward one side over another. One example that was brought up during the proud boys versus antifas protest, officers were leaning against the fence on the proud boys while they had batons out when facing the antifa. The antifas do not like to talk to officers while the pro boys are more respectful and cooperate with officers therefore, they seem to be treated better. The bias is systemic and does not happen at just one protest. People suggested officers should receive bias training to look into the history of police officers use of force.
- Police using community policing idea to show up to certain community of color's neighborhood.
- Culture of masculinity: where policing is considered a highly dangerous job (possibly more dangerous than in reality) and members of the police force and police union tend to react negatively to criticism.
- Maggie made a comment she has been doing research on philosophy of violence is a way to solve issues from both side at protest. Both sides show up with insignias to show which side they belong to.
- Ms. Chiller made a comment going forward, the workgroup should look into a policy recommendation for PPB officers to not group people into one group. Just because people are standing on the antifa side, doesn't mean they all hate the police. There will always be people who do not like to interact with the police or obtain a permit to protest.
- Chair Malone made a comment the rapid response team is solely volunteer based and ther there's some self-selection bias within that group since the people who volunteered for the job is expecting a fight at protests. It might be beneficial to change it up and have people who don't go to protest to look for a fight on that group.
- Mr. Schwartz made a comment it seems like most of the interactions with police officers who are not on the rapid response team were positive.
- Vice Chair Avalos made a comment going forward, the Crowd Control workgroup will try and engage with PPB to deliver the feedbacks from the forum. She is also trying to coordinate with Commissioner Hardesty's staff to have more forums like this in the future.
- Chair Malone made a comment she felt like the facilitator at her table was putting words in people mouth.
- Mr. Mozyrsky made a comment a lot of the people who attended the forum participated in the protest so he would like to hear from the other side of the community and from the police officers.
- Chair Malone made a comment it is good to hear from the people who did not participate in the protest in order to be able to craft a proposal that will have broad base support.
- Mr. Simon made a comment he thought it was a well-structured dialogue that received media coverage. He hopes the group can invite police officers to future dialogues.
- Mr. Schwartz made a comment he would like to invite officers to future dialogues while they are off work and not in uniform.
- Ms. Chiller made a comment she is hoping to have the Crowd Control workgroup members sit down and share the feedbacks with PPB officers.
- Crowd Control workgroup future tasks:
 - Continue to review testimony from the forum and share lessons learned with important stakeholders
 - Ask to attend the Rapid Response Team training
 - Build relationships with strategic partnerships in PPB

- Begin reviewing crowd control directives and make a shared document to make suggestions to policy language
- Find out when the next directives review is happening and be involved
- Check in with Commissioner Hardesty's office for future forum

2) Discussion of City Council appeal (CRC Chair Kristin Malone)

- Chair Malone thought it was interesting that all the media coverages were about the J-walking.
- At the first Council appeal hearing, the Mayor had to defer the vote to another hearing since he wasn't able to get a majority vote. City Attorney advised Council that they must come to a majority decision on the case in order to conclude the appeal.
- The Mayor seems like he is no long supporting Committee's proposal to change the standard of review since this will make the Council appeal hearing process happens more often. Chair Malone will discuss this issue at her next check-in with the Mayor.
- What Chair Malone heard from Mayor's Office is the Council's appeal hearing decision is being treated like a PRB hearing.
- Ms. Falk made a comment at the first Council's hearing the Mayor mischaracterizing a disagreement with the findings as saying the person who made the findings as unreasonable.
- Ms. Chiller made a comment she was concern about the Mayor's comment being dismissal to the whole entire process.
- Mr. Mozyrsky made a he thinks the Mayor was trying to say several people had thought this was within policy. What evidence shows that it doesn't.
- Chair Malone made a comment the Mayor seems to be saying the facts that multiple people had affirmed the findings in the past were reasonable findings. If that is true, then there's no set of circumstance where the Committee can challenge.
- Vice Chair Avalos made a comment the Mayor was trying to say that this is an HR matter. It is disingenuous to say that something that dealing with the police is just an HR matter. The CRC might have a different perspective on these issues and is able to offer a different lens and be hold people accountable.

6:00 pm—6:20 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. Outreach Workgroup (5 min.)

MISSION STATEMENT: The Outreach Workgroup engages the community to raise awareness about the Citizen Review Committee (CRC), gather concerns about police services and accountability, and identify issues for the CRC to address. Following up with appellants and others community requests will supplement current work group

tasks. Additionally, outreach committee members will serve as point for ongoing communications with IPR, the City, the Bureau, community members and/or act as the face of CRC.

Chair: Neil Simon / Members: Vadim Mozyrsky

IPR staff: Irene Konev, Community Outreach Coordinator

- Mr. Simon and Matt from Commissioner Hardesty's office has been in discussion on hosting a summer forum to gather feedback on what the community wants police oversight to look like in Portland.
- Ms. Falk made a comment she would like to join the workgroup.
- Vice Chair Avalos made a comment she has been in contact with Commissioner Hardesty's Office, so she will include Mr. Simon in her email chain.

2. 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: Daniel Schwartz / Members: Hilary Houck, and Jihane Nami

- Mr. Schwartz made a comment the current cases the workgroup is looking at is meant to be a primer for future audit. He would like to meet up with new IPR Director when he comes on board.

3. 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: Candace Avalos /Members: Andrea Chiller, and Kayla Wade

- Vice Chair Avalos made a comment this month workgroup is cancelled due to her having to go on a work retreat.

4. Use of Force Workgroup (5 min.)

MISSION STATEMENT: The Use of 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 force.

Chair: Kristin Malone / Members: Kayla Wade

- Chair Malone made a comment she will ask Ms. Wade whether or not she is willing to lead this group.
- Sylvan Fraser made a comment they would like to join this workgroup.

6:20 pm —6:45 pm Public comment and wrap-up comments by CRC members

- Ms. Hannon made a comment Chair Malone did a superb job at the City Council appeal hearing.
- Mr. Handelman made several comments:
 - At the Council appeal hearing, the Chair presented the evidence repeatedly to the Mayor but he wasn't taking it. The Mayor also mentioned about him having ideas on how to change the Charter but he did not expand on that.
 - The Chief and CRC agreed on the allegation that the Officer did not provide a business card. That would never happen without the CRC.
- Mr. Bouman would like to know if there's any appeal coming up since the last CRC meeting when the Committee discussed about a drop in appeals.
- Ms. Aiona made a comment it would be great if the Committee share the crowd control forum feedbacks with the whoever in charge of crowd control at the Police Bureau.
- Maggie made a comment why having a forum when the Mayor is not listening. The City just want to put up the forum to make them looks good.
- Chair Malone made a comment the CRC was the one who put the forum together not the City.

To better serve you, a request for an interpreter or assisted listening device for the hearing impaired or for other accommodations for persons with disabilities should be made three (3) days 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/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.*