

# CITIZEN REVIEW COMMITTEE MEETING



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*Community Oversight of Portland Police Bureau*  
Independent Police Review (IPR)

City of Portland / City Auditor

Citizen Review Committee (CRC)

## Minutes

Date: Wednesday, July 7, 2021 (meetings are typically held the first Wednesday of each month)  
Time: 5:30 pm \* *Please Note: agenda times are approximate*  
Location: Virtual Meeting

Present: Candace Avalos, Sylvan Fraser, Taylor Snell, Yume Delegato, Amanda Greenvoss, Kyra Pappas, Shaina Pomerantz, Jessica Katz, Gregg Griffin, Julie Falk, Ross Caldwell, Irene Konev, Debbie Aiona, Dan Handelman, Jonas Geissler, Jared Hager, Barbara Christianson, Carol Cushman, Liani Reyna, David Striar, Andy Chiller

## AGENDA

5:30 pm—5:35 pm Introductions and Welcome by CRC Chair Candace Avalos

5:35 pm - 5:40 pm About Tonight's Meeting

- Chair Avalos: Welcomed everyone. Commissioner Hardesty will be a guest at the CRC meeting today.

5:40 pm - 5:45 pm Approval of Minutes

- **Minutes:** June minutes were motioned to approve by Ms. Falk and seconded by Mr. Delegato.

## Vote:

Chair Avalos Aye

Mr. Falk Aye

Mr. Griffin Aye

Mr. Delegato Aye

Mr. Greenvoss Aye

Mr. Pomerantz – Abstain

Mx. Fraser Aye

Mr. Snell Aye

6-0-1 Minutes approved

5:45 pm - 5:50 pm Director's Report (IPR Director Ross Caldwell)

- [https://www.portland.gov/sites/default/files/2021/directors-report-7-7-21-final\\_0.pdf](https://www.portland.gov/sites/default/files/2021/directors-report-7-7-21-final_0.pdf)
- Director Caldwell: Director's report was shared.
- Return to office in October, taking steps to be ready to go into the office.
- IPR released the 2020 Annual Report in four other languages: Spanish, Russian, Chinese, Vietnamese link to all reports: <https://www.portland.gov/ipr/news/2021/6/3/2020-annual-report>
- Community Outreach meetings, equity training IPR staff attended.
- Department of Justice Meeting scheduled for July 14<sup>th</sup>, may be last stop before potential mediation between City of Portland and DOJ. Next meeting with Judge Simon scheduled for August 26<sup>th</sup>.
- Some numbers about investigation and protest cases found in the report.

5:50 pm - 5:55 pm Chair's Report (CRC Chair Candace Avalos)

- Chair Avalos: Not much to report and will talk about some things later. In a good place to conduct CRC business and have a pool of CRC alternates to work on CRC business. Thanked everyone for their service on CRC.
  - No meetings with elected officials since the last CRC meeting to report on.
- 5:55 to 6:00 pm Approve the [Portland Protests 2020: CRC Summary and Recommendations](#)
- Link to the Protest report was posted into the chat box. Community members were thanked for the work on the report.
  - Other CRC members also thanked the community and each other for the report and felt proud of the report, impressive document, with community input and feedback.
  - Create a strategy to send an email to the list serve and get this report on the City Council agenda, and push on leaders to figure out what to do with this report.

- Ms. Pomerantz asked how this report was done and how it was accomplished, delegation, creation?
- CRC Members explained that it was hard to begin, but Chair Avalos was a good delegator of tasks, discussion was done, went section by section and established goals, and once figured out what needed to be done, it was done collaboratively. Chair Avalos also did a lot of the work personally.
- Chair Avalos thanked the team for being good at getting this report done.
- Approval of Report:
- Workgroup had a formal vote on the report, and it was approved by the workgroup.
- Now the whole CRC needs to give formal approval at this meeting.
- The report was read into the record by the headings:
- Executive summary
- Recommendations by category:
  - Equipment Use
  - De-escalation
  - Bias and Training
- Summary and relevance of other CRC reports.
- Summary of Use of Force Report.
- COCL Report.
- Community Feedback and how it was achieved.
- Survey questions.
- Community forum on July 8<sup>th</sup>, 2020.
- Categories and themes in categories.
- Two surveys and summaries.
- Tweets elevated the survey boosted by Commissioner Hardesty and extended the survey deadline. Huge response, 1300 responses.
- Recommendations, appendices, and acronyms.
- Surveys and data.
- Facilitator guide.

**Public Comment: Limited to two minutes Mr. Falk recorder and timekeeper.**

**Mr. Handelman:** Thanked Ms. Avalos for reading into the record the sections Protest 2020: CRC Summary & Recommendations Report, but good to have some specifics of the recommendations of this report read into the record. References to IPR report from 2017. Police foundation report that overlaps CRC reports. Looking forward to the CRC report going to City Council.

- Ms. Pomerantz, has there been more interest in giving feedback on their experiences?
- Mr. Snell, not sure if anyone had more surveys after the survey closed.
- Motion to vote for the Portland Protests 2020: CRC Summary and Recommendations by Ms. Pomerantz, seconded by Ms. Greenvoss.

Vote:

Chair Avalos Aye

Mr. Falk Aye

Mr. Griffin Aye

Mr. Delegato Aye

Mr. Greenvoss Aye

Mr. Pomerantz Aye

Mx. Fraser Aye

Mr. Snell Aye

Vote of 8-0-0 Passed.

5:55 Guest: Commissioner Hardesty Discusses Plan for New Oversight System

- Chair Avalos welcomed Commissioner Hardesty.
- Commissioner Hardesty commended the CRC for the huge lift of this report. Well done.
- Commissioner Hardesty thanked the CRC for inviting her to the meeting and introduced herself. She talked about the protests in 2020 and that the voters overwhelmingly approved ballot measure for a new oversight system. Community wants a truly independent oversight system with its own independent budget with ability to subpoena and provide discipline. And that is absolutely what the ballot measure embraced and said to the voters. The ballot measure was just one piece, needed to change legislation in Salem, to ensure oversight decisions would be

final and not be overturned by arbitration. Will be appointing the commission that will set up the new oversight system and have 18 months to set up the new oversight system. Wanted to set this commission up in January, but took longer, wanted to do this right not fast. This commission now looking for staff person, job is posted in many places.

- Need a superstar to staff this commission. Will follow the same process as the Charter Review Commission, excited about the people who will be appointed.
- A couple of disappointments along the way. Had hoped to have a more collaborative relationship with the Auditor, but the Auditor would not allow her staff or her investigators to assist her in any way to develop a new system. Thought work would be collective with the people as people of Portland wanted and not for individual kingdoms that could or could not be built. Disappointed in that process. Thrilled to be here tonight. There are a lot of good people who have been doing this work, some paid some not. Commissioner Hardesty worked on police oversight for free for 30 years and knows what works and what does not work. It's not Commissioner Hardesty's best thinking, but collective best thinking that's going to make this new oversight system a national model of how community collectively holds police accountable.
- Questions to Commissioner Hardesty:
- Chat box question: How does the Commissioner see the City's obligations under the DOJ Settlement Agreement (DOJ Agreement) interacting with the new oversight board process?
- Commissioner Hardesty: City of Portland out of compliance with DOJ Agreement, next week a process will start on how the City moves forward, to complete what needs to be completed; were in compliance until last summer when over 6,000 incidents of use of force reported by community members against Police Bureau (Bureau). This slowed the process and now out of compliance. Need to get back into compliance as soon as possible. Need to work to reimagine policing. Commitment to the DOJ Agreement is consistent with the new oversight board needs to do; the oversight board will give more accountability than what was seen so far. A balancing act, responsive to the community and the DOJ Agreement demanding transformation and being realistic on the timeline: at least 24 months of process before the community can articulate what community wants in public safety. Mental health calls cannot have armed police respond for welfare checks. Leads to loss of life. Committed to Portland Street Response being added in the fall bump budget to fully implement Portland Street Response. This is also response to the DOJ Agreement. Police not qualified mental health people, as indicated by a response to a person in mental health crisis. A lot of work to do, to send the right person to the right situation.

- Question for Director Caldwell: Questions to be asked of IPR by City Council and community about IPR, but the restriction is that they have to be asked?
- Director Caldwell: Because the Auditor's Office could potentially audit this new oversight system someday, the IPR staff should not be designing this new oversight system. Ballot measure creates a process to create this new system, Auditor says IPR needs to be respectful of the new process. IPR does have a lot of knowledge about police oversight and how it does and does not work now. Once this commission seated, may speak to the new commissioners and members of Commissioner Hardesty's Office.
- Commissioner Hardesty, her office does not have ownership of this new system, it is a City Council mandate, entire City Council voted to send to voters. Any City employee could be asked for advice but were asked to not get any IPR staff input at all. Irony that IPR should not give advice because they may have to audit it, but Auditor audits every City bureau and that does not make sense. The question is do we want the best oversight system that we can in place? Welcome everyone to show up and lean in and share their voices.
- Question: New police oversight agencies: Commissioner Hardesty, can you glean from other police oversight agencies building blocks of new oversight system from others across the county?
- Commissioner Hardesty: Yes, talked to others across the county both legislators as well as city councils and looked for best practices of what is working/not working. It affirmed that the budget is not reliant on the oversight system if they don't work well. Many oversight systems did not have discipline in place and then regretted it; wished they could have done it differently.
- Ms. Greenvoss: What is this new Commission going to look like, staff of current IPR and CRC? Much work to be done until the next system in place.
- Commissioner Hardesty: No budget changes, so that there is two years of funding left for IPR. But don't anticipate any cross over of the work; expect IPR/CRC finish work stop taking cases and then the new commission will take cases. It will be a clean process. Not one day the lights don't work. Positions will be for anyone to apply for, based on skill sets and if it fits the needs of this new Commission. Don't have guarantee that someone from IPR would have the skill required for this new independent community-based board which will be community run.
- Ms. Falk: Has the Commission been designing what the staffing structure looks like for the new body?

- Commissioner Hardesty: Yes, they will be making recommendations of what the staffing process will look like. Expect to hire an executive director use community process to do that and that person will hire everyone else.
- Ms. Pomerantz: The CRC have a lot of knowledge and legal background, criticism about legal information, time commitment, how do you make it accessible to folks who don't have prior knowledge?
- Commissioner Hardesty: The independent board, all you need is common sense to be on the board. They will hire professional staff, lawyers, labor attorneys, civil rights attorneys. Always amazed that the City Attorney represent both police and City Council which is a conflict. Professionals will do the professional investigations. Don't anticipate that community members will go out with a clipboard doing investigations. It will be done by professional staff and then present their work to the community. We just must get the best staff to do this work.
- Ms. Pomerantz: How does what you differ from what we already have with IPR and CRC work already being done now?
- Commissioner Hardesty: A multitude of ways it will be different. Today if a community member files a complaint, depending on which door they come in, it either goes to IPR which makes decisions to send it to IAD if they send it to IAD, then if we still have police investigating police. If IPR decide to investigate it, then there is a process. The difference will be that community member will not be told they need to go to a police station, or to IPR office at City Hall to file complaints. Many community members don't want to go to a government building to file complaints. The new office will not be in a government building. This is a couple of examples of how the next system will be radically different.
- Mr. Snell: What will the new system have in place to look at other modes of discipline?
- Commissioner Hardesty: Negotiating a new PPA contract now, there are proposals around discipline; they are radically different. Legislature is trying to set a state standard on what discipline should look like. Hopefully by the time new system is set up things will be different, punishable by immediate dismissal instead of corrective action.
- Question in the chat box: What steps are in place to transfer institutional knowledge that CRC operated on, and how can the new Commission avoid reinventing the wheel? Chair Avalos added that the Policy and Outreach workgroup currently combing through City Code to identify what works and what does not. Hopes to make recommendations. And what are the expectations of CRC as they continue their work?

- Commissioner Hardesty: Love the work the CRC have done. Maybe assign a member or two to go to all the Commission meetings so that questions that come up at the meeting CRC can answer. This is a transition because 82% of the public voted for this to transition. Don't want us to be in conflict. Need your help and expertise, so we don't go down a rabbit hole. Gary Blackmer's experiment has lasted 16 years, now voters decided to have a new system, a fairer and in the community's eye.
- Chair Avalos: How do CRC communicate with the new group to bridge that gap, it would be good to write a general report to share.
- Commissioner Hardesty: Yes, especially for the archives, I am the only person on the Council with a deep history on the DOJ Agreement and that is important. The Albina Ministerial Alliance Coalition for Justice and Police Reform invited the DOJ and connected them to the community so people could share their experience. Then behind closed doors the Agreement was written. It was not what the community wanted but what the police and other government wanted. It was not what the community asked for. It put community in a box. Need to get into DOJ Agreement compliance and transform policing.
- Question from chat box: Is the Commission going to take 24 months to do their work?
- Commissioner Hardesty: Once seated they will have 18 months to do their work. Commission will be seated later this month.
- Commissioner Hardesty: Given your 30 years of police oversight work what do you see as key principles of effective oversight committee?
- Commissioner Hardesty: Transparency, fairness, doing effective investigations in timely manner.
- Question: Is this new oversight board to sub plant the Police Review Board and what about Internal Affairs, what is going to happen to them? How are these tied to the PPA contract?
- Commissioner Hardesty: Talked to Chief Lovell about all advisory committees and that they only have one-way communication, and some believe that they are setting policy and that is not something that City Council has voted on it. Concerned that there are currently many advisory committees and no filter for all this advice and what happens to this advice. This new system should review all advisory bodies that are supposedly advising the police. The African American Advisory Committee has the same people on it since Chief Moose was on it. As we reimagine policing, decide what to keep and what to toss.



- Chair Avalos: Groups like Training Advisory Committee, PECCP and others, it is confusing. What can be rolled into the new system, consolidating these advisory bodies.
- Commissioner Hardesty: Maybe internal complaints, IAD would be a good place for them. A community member would automatically go to the new board. PRB has been problematic as long as it has existed. When one community member is to hold space in a room of police, that is hard. Have no confidence in the PRB. Even OIR recommended changing the PRB, that has not happened in a decade.
- Ms. Pomerantz: Sits on Police Equity Advisory Committee, this month Chief Lovell will be speaking. Many community members overlap advisory boards and need to be consolidated. This inundates the Police Bureau with too many requests and can't meet them all to make recommendations. How do you envision Police Bureau, a completely different entity? If a CRC member is part of a PRB and that case appealed to CRC? What do we do in this gray area?
- Commissioner Hardesty: If there is not prohibition in the that capacity, why exclude CRC from that process, as CRC with the most knowledge?
- Mx. Fraser: New oversight board may overlap with other entities. Are there any obstacles that may get in the way of this board getting set up? And what public advocacy may be needed to overcome possible obstacles?
- Commissioner Hardesty: Charter Review Commission was seated, which means that the commission can ensure the charter includes what was important to the voters, and that only the voters could change it. CRC input and experience can help there as well. And I don't know, that is why we put together 20 members of the community to figure this out. Portlanders are creative, excited about their potential and reflective of the community. This ballot measure was the highest vote in history. Doing this in the public eye and inclusively, not to get the police, but want the same justice for all.
- Question in chat box: Mr. Handelman and Ms. Aiona are on the Commission, when will the rest of the Commissioners be announced?
- Commissioner Hardesty: After everyone has been confirmed with, and it will be announced at City Council.
- Chair Avalos: Requesting change to the standard of review has been a long process. There was a report and a lot of work by the CRC to change it, but it did not change. Do you think it would be wise to push for this change now?

- Commissioner Hardesty: It used to be a priority some time ago, but much has happened lately, and it got sidetracked. Where is the Standard of Review now? Reasonable person standard, Preponderance?
- Commissioner Hardesty and Chair Avalos discussed the standard of review and where it is at now.
- Commissioner Hardesty: I would support Standard of Review if we got three votes. Just go get two more votes.
- Chair Avalos: It would be a good thing to work on.
- Chair Avalos: Thanked Commissioner Hardesty and the public for coming to the meeting and asking questions. Final thoughts?
- Commissioner Hardesty: Appreciate the CRC for their volunteer time. Good to build a system. Look forward to the next interaction with the CRC.
- Chair Avalos: Thanked the CRC for their time.

#### Discuss Return to in Person Work Plan

- Chair Avalos: What are folks thinking about return to in person work? Could also send out a survey about this to get in depth comments and how schedules look. As well, City employees coming back to work in October. Availability of CRC meeting space and tech needs; hybrid model? Appeals in person would be more meaningful and regular meetings could be remote?
- Mr. Delegato agreed with appeals being in person, but work outside the City limits and remote meetings are easier.
- Ms. Falk: Agreed and that appellants may have easier access to CRC meeting virtually.
- Ms. Pomerantz: Virtual meetings are better, and easier to engage in. Meet in person once a quarter. Easier in general and had more participation virtually. A Hybrid model would be best.
- Chair Avalos: Send a survey? Send to IPR staff and CRC alternates.
- Other CRC agreed. And a survey will go out.

#### Discuss Ideas for Late Summer CRC Retreat

- Chair Avalos: Goals of the retreat, things to pass down to the next oversight board a reasonable goal during the retreat. What other goals of the retreat?
- Mr. Delegato: Would be good to meet everyone in person at the retreat.
- Ms. Falk: Would the Standard of Review be a good topic to discuss?

- Ms. Pomerantz: The work of the Policy and Outreach Workgroup could be a good topic to work on – IPR and CRC administrative rules.
- Chair Avalos: Add a backwards timeline to create some milestones.
- Mr. Delegato: Would this be a weekend event?
- Chair Avalos: Yes. And a facilitator would be great based on what CRC want to accomplish.
- Further discussion ensued and CRC agreed to have the retreat facilitated and wanted to have Brad Taylor facilitate, as he is most knowledgeable about CRC and have the retreat be in person.
- Ms. Pomerantz: Is it possible to recommend people CRC know to be facilitator? And would it be possible to have other folks with similar work to attend a part of the retreat. Also, good to have both a facilitator and note- taker at the retreat.
- Chair Avalos: Yes. Last retreat had some CRC private time and open time with the public.
- Ms. Pomerantz: Legal advisement, conflict of interest being advised by the City Attorney and the bias it creates. Revisit to have an independent advisement to the CRC.
- CRC discussed the dates and that the retreat dates could be in October, but not on the first weekend in October.

6:45 pm—7:00 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. Policy and 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 points for ongoing communications with IPR, the City, the Bureau, community members and/or act as the face of CRC.**

Chair: Vadim Mozyrsky / Members Julie Falk, Jessica Katz, David Lin and Shaina Pomerantz

IPR staff: Irene Konev, Senior Community Outreach Coordinator

Ms. Pomerantz read into the record IPR and CRC Administrative Rules. This workgroup will continue to access these administrative rules from SPF 5.01 to SPF 5.25. CRC Alternate Jim Kahan is helping the workgroup review these administrative rules. Asked public for feedback on this work.

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: Vadim Mozyrsky/ Kyra Pappas and Gregg Griffin

IPR staff: Irene Konev, Senior Community Outreach Coordinator

No updates. Need to revive this workgroup.

3. Crowd Control Workgroup & Use of Force 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: Sylvan Fraser, Taylor Snell, Yume Delegato, Amanda Greenvoss, Sarah Malik, Amanda Boman, Barak Goodman, Val Barlow, and Alec Condon

IPR staff: Irene Konev, Senior Community Outreach Coordinator

Said it all earlier and will keep everyone posted on next steps.

6:45 pm—7:30 pm     Public comment and wrap-up comments by CRC members

**Public comment:**

- **Mr. Handelman:** A huge difference between in person meetings and online meetings is not knowing who is in the meeting and can't see each other. Like the hybrid idea. Director's report did not have enough information about cases of deadly force being investigated. Annual report very short. Portland Copwatch did a longer analysis than the IPR Annual Report. Would like mail hard copies of his report. Commissioner Hardesty's comment that IPR a one-year experiment that went on, that review went on for six years. Hoping that for the next oversight system has the same. In the past CRC members recused themselves if they sat on PRB case, not a bad idea. If you meet in person need a big room. The administrative rules read into the record should have been read by all the CRC members upon appointment.
- **Ms. Reyna:** It has been 9 months to the day since my appeal hearing. IPR has been nonresponsive to my request for a status on your recommendations. I thought IPR had 10 days to follow-up. Does anyone know the status of my hearing? When can I expect the next phase?
- Chair Avalos: Is this something IPR will be commenting on?
- Director Caldwell: A memo to the CRC and a letter to Ms. Reyna soon that will answer all the questions.

**Trudy Cooper:** Agree with Mr. Handelman, it would have been good to review the report and comment.

Ms. Pomerantz: How soon will the Ms. Reyna request be answered?

Mr. Caldwell: Hopefully before the next CRC meeting.

**Mr. Handelman:** The Standard of Review document is ready to go, only have two years left.

Chair Avalos thanked everyone, and the meeting was adjourned.

7:30 pm

Adjournment

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*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](http://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 email 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.*