

Independent Police Review

Annual Report 2016



Mary Hull Caballero

City Auditor

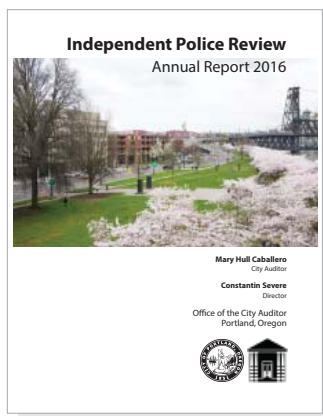
Constantin Severe

Director

Office of the City Auditor
Portland, Oregon



Published May 2017



Production / Design / Graphics

Robert Cowan
KC Jones

Cover Photo by

David Nguyen

Independent Police Review Staff

Constantin Severe, Director
Anika Bent-Albert, Assistant Director
Rachel Mortimer, Assistant Director
Ramsey AlQaisi, Investigator
Eric Berry, Investigator
Casey Bieberich, Investigator
Andrea Damewood, Investigator
Eric Nomura, Investigator
Deirdre Perez, Investigator
Erin Playman, Investigator
Irene Konev, Senior Community Outreach Coordinator
Kelsey Lloyd, Management Assistant
David Nguyen, Support Specialist & CRC Liaison
KC Jones, Management Analyst

Table of Contents

Highlights from 2016	2
How does the police accountability system work?	5
Who filed complaints with IPR?	9
Who were the subjects of the complaints?	11
What were the complaints about?.....	12
What did IPR do with complaints?	15
What happened after the investigation was completed?....	19
How long did the process take?	23

Independent Police Review

Highlights from 2016

Independent Police Review continued to evolve

After the City of Portland’s settlement agreement with the U.S. Department of Justice in 2014, the City Auditor’s Independent Police Review (IPR) began conducting more of its own investigations,

streamlined operations, and added more investigative staff in 2015 and 2016. IPR processed more complaints in 2016 than in 2015 and, on average, took less time to do so. The Auditor and IPR continue to seek more efficiency and effectiveness for the City’s police accountability system.

	2016 Result	Trend from 2015
Misconduct complaints from community members	435	↗
Misconduct complaints from Police Bureau employees	45	↗
Officer-Involved Shootings	2	↘
Independent Investigations Initiated	29	↗
Days to complete complaint intake (median)	24	↘

This report shows the initial results of those efforts. It provides an overview of the people and processes involved in Portland’s police accountability system, data trends, and selected summaries to illustrate the types of complaints IPR investigates.

IPR conducted more of its own investigations

The settlement agreement requires IPR to have the ability to conduct more investigations of its own. Increases in investigative staff since 2013 have enabled IPR to conduct thorough independent investigations while also meeting its responsibilities to process complaints at the intake stage.

In 2016, IPR initiated 29 independent investigations, the most in its history. Twenty-five of those cases involved complaints by community members. Four were from Police Bureau members.

Nineteen independent investigations were closed during 2016. Allegations in four of those cases (21 percent) were sustained.

Investigations initiated by IPR in 2016	
Police Response to Protests	10
Disparate Treatment	9
Captain or Above	5
Director Discretion	4
Other Force	1

The increase in independent investigations is a result of more investigative resources and circumstances where

IPR is best suited to investigate the complaint (allegations involving a Bureau member of the rank of captain or higher or where Internal Affairs had a conflict of interest).

IPR has also prioritized independent investigations into allegations of disparate treatment based on race, sex, age, or disability and complaints about police response to protests.

IPR was engaged on issues of interest to the community

The Independent Police Review’s work brings staff in frequent contact with community members through taking complaints, community outreach, and IPR’s role in monitoring significant events.

Investigators worked with complainants at intake

During intake, investigators help community members clarify their complaints by asking pertinent questions and analyzing how the information may fit into a misconduct allegation. Community members can contact IPR via email, over the phone, by mailing in a complaint

Misconduct Allegation
An allegation that an officer’s action, or failure to take required action, violates a current Police Bureau policy

form, or in-person at City Hall. IPR investigators had more than 1,300 such contacts with community members in 2016, the median of which was 111 contacts per month.

For a complaint to proceed to the investigation phase, at the intake stage, IPR must be able to identify an individual officer, determine the nature of the allegation being made by a complainant, and assess whether preliminary evidence indicates that misconduct could have occurred. More comprehensive fact-gathering will occur during the full investigation.

If the concerns of community members cannot be categorized as police misconduct, investigators still take steps to help resolve the issues, such as referring them to the relevant police precinct or forwarding their concern to the City Ombudsman or to the Bureau of Labor and Industries. If a community member's concerns are about a specific policing practice, IPR may address those as a group through policy reviews that make recommendations for change to the Police Chief.

IPR conducted outreach in the community

In 2016 IPR staff and a Portland State University intern created a new model to hear community input, which became known as Community Dialogues on Police Accountability. Citizen Review Committee volunteers and IPR staff participated in two separate community



IPR's January 2016 Community Dialogue in the Cully Neighborhood was a collaboration with the Latino Network and the City's New Portlanders Program

sessions with members of communities newly immigrated to the United States from Mexico, Guatemala, Russia, Turkey, Uzbekistan, Tajikistan, Afghanistan, and Pakistan. The sessions were simultaneously translated in several languages. The purpose of connecting with these immigrant community groups is to continue to build trust and increase understanding of police accountability in Portland and raise awareness about IPR's role.

IPR's Russian-speaking Senior Outreach Coordinator coordinated three segments on Slavic Family Radio to reach the Russian-speaking community. Two of these segments focused on IPR and police accountability and one expanded awareness of the City Auditor's Audit Services division and the role of the City Ombudsman in matters related to the Police Bureau that are not related to officer misconduct.

IPR also continued to build partnerships with many community organizations, connecting with advisory boards and commissions to help them understand the commendation and complaint process, how IPR

differs from and is related to other groups engaged in police accountability. IPR staff also made presentations, attended neighborhood events, and developed and maintained relationships with community leaders.

IPR supported volunteers on accountability boards

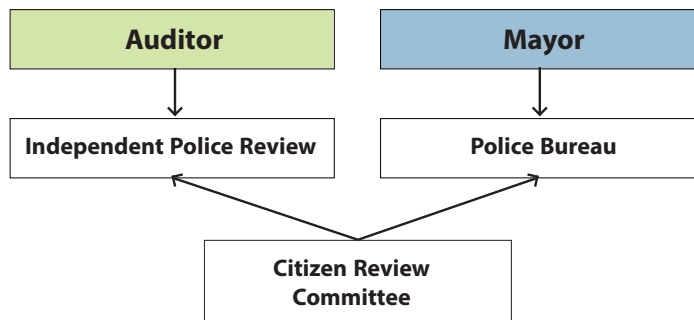
IPR recruits and trains community members to serve on two volunteer advisory groups. In 2016, IPR recruited members for the Citizen Review Committee, which is public, and the Police Review Board, which is internal to the Police Bureau. To gain a diverse pool of applicants IPR engaged community groups such as Hacienda Community Development Corporation, Iraqi Society of Oregon, Urban League, Immigrant and Refugee Community Organization, Human Solutions, Russian Oregon Social Services, Oregon Native American Chamber of Commerce, and Partners in Diversity. Twenty-five applicants identified themselves as women and 16 as Russian, Hispanic/Latino, African-American, or members of the gender minority community.

How does the police accountability system work?

Several entities play roles in Portland's system

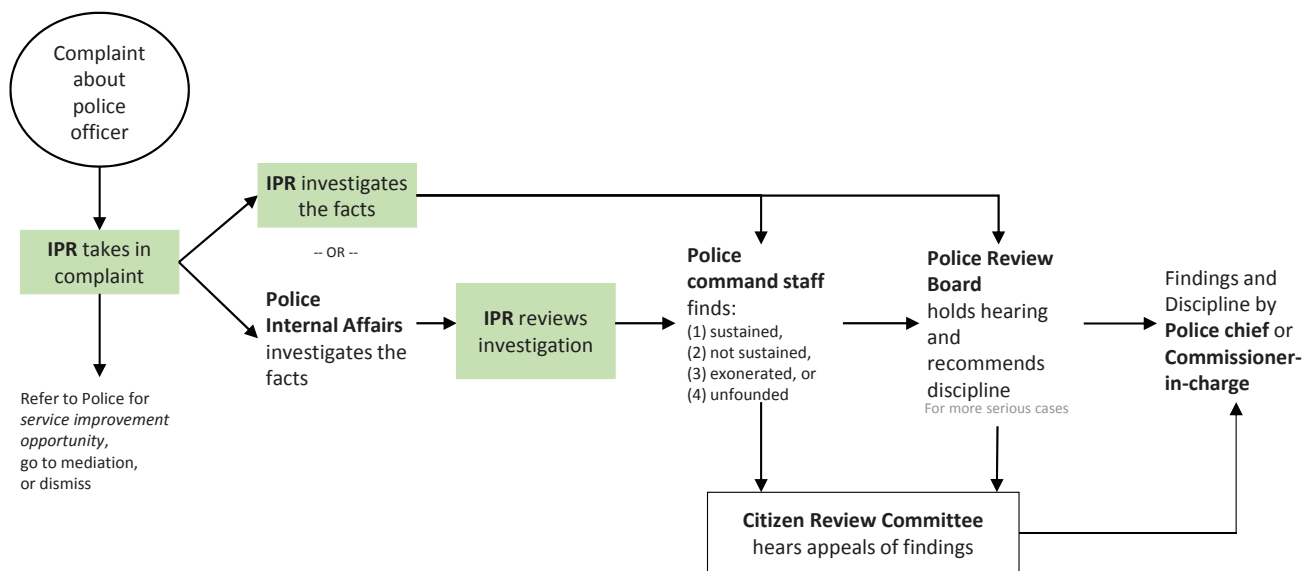
Typically, Portland's police accountability system is set in motion when a community member or Police Bureau employee files a complaint alleging misconduct by an officer. Portland's complaint investigation model divides various duties between the City Auditor, who as an elected official is independent from the Police Bureau, and the Police Commissioner, a role commonly filled by the Mayor.

Figure 1 Elected officials are responsible for separate functions within the system



The City Auditor oversees IPR, which acts as the central intake point for complaints, investigates some of them, and monitors those investigated internally by the Police Bureau. Once an investigation is complete, the case file is submitted to the officer’s supervisor, who often carries the rank of commander. The officer’s commander or other high-ranking supervisor decides if the evidence gathered during an investigation supports the allegations in the complaint. Commanders must document their conclusions as findings.

Figure 2: Misconduct complaints move through several stages of investigation and review



Legend:

Independent Police Review (IPR)	Portland Police Bureau
Citizen Review Committee	Police Review Board

11 community volunteers appointed by the City Council, administrative support by IPR

A body of police employees, community members, 1 IPR manager, and 1 CRC member, acting as advisory body to the Police Chief

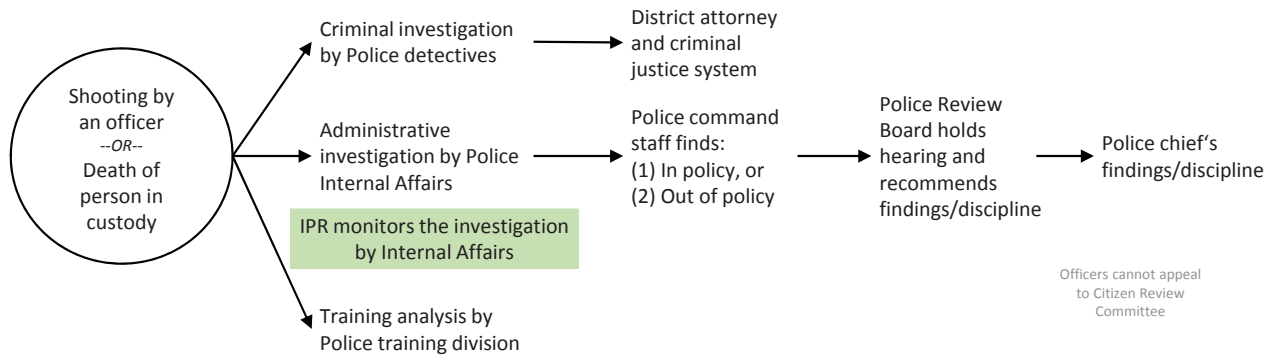
Once commanders have issued their written findings, the process may move in two directions. If the evidence supports the allegation and the potential discipline could result in the loss of pay, the commander’s findings are reviewed by the Police Review Board. The Review Board is made up of police personnel, community members, and an IPR manager. Its role is to assess the validity of a commander’s findings, and, if warranted, recommend the appropriate level of discipline to the Chief of Police.

The other direction a case can go is to the Citizen Review Committee, an 11-member volunteer body that hears appeals of the commander’s findings if the community member who filed the complaint or the police officer disagrees with the findings. The Committee considers the quality of the investigation and assesses the reasonableness of the commander’s findings. It communicates its conclusions to the Chief of Police to be considered in his final decision whether to uphold the commander’s findings. Unlike the Police Review Board, the all-civilian Citizen Review Committee does not make recommendations to the Chief about discipline. The Chief’s final decision must be approved by the Commissioner-in-Charge of the Police Bureau.

Shootings by officers and deaths in police custody follow a different process

Exceptions to the process described above are cases in which a person dies in police custody or when officers fire their weapons, also known as officer-involved shootings. These cases undergo both criminal and administrative investigations by internal divisions of the Police Bureau. Figure 3 describes the process for these types of cases.

Figure 3: Shootings by officers and deaths in police custody follow a different process



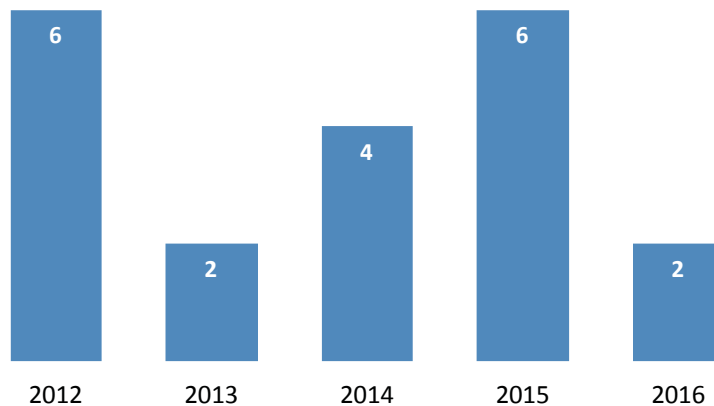
Investigations of officer-involved shootings or in-custody deaths are subject to mandatory review by Internal Affairs, the Detective Division, and the Training Division. IPR’s role in these cases is to monitor the investigations by responding to the scene of an incident, participating in briefings, and sitting in on interviews of officers and witnesses. Neither officers nor community members have the option to appeal recommended findings in these types of cases to the Citizen Review Committee.

There were two officer-involved shootings in 2016

Two officers fired their weapons at people in 2016, resulting in one fatality. Both of the people fired at were described as white. From January 2012 through March 2017, 17 of 22 people fired at by Portland officers were described as white, three were described as African-American, and two were described as Hispanic.

In at least six of the shootings since 2012, the individuals fired at were thought to be experiencing mental illness. In recent years, the Police Bureau has made revisions to its use-of-force policy and related training to try to defuse crisis situations with the least amount of force necessary. Additionally, the Police Bureau expanded resources available to individuals experiencing mental illness, such as the creation of the Behavioral Health Unit.

Figure 4 There were fewer officer-involved shootings in 2016 than the last two years



In-custody deaths are distinct from officer-involved shootings and refer to situations where someone dies while under physical control of an officer or while in police custody. There were no in-custody deaths in 2016.

One deadly force investigation in 2016 did not involve a firearm but a patrol car. An officer used his police car to intentionally hit a person fleeing by bicycle. IPR requested that the Police Bureau investigate this case using the process for officer-involved shootings and in-custody deaths because the officer used his vehicle as a weapon.

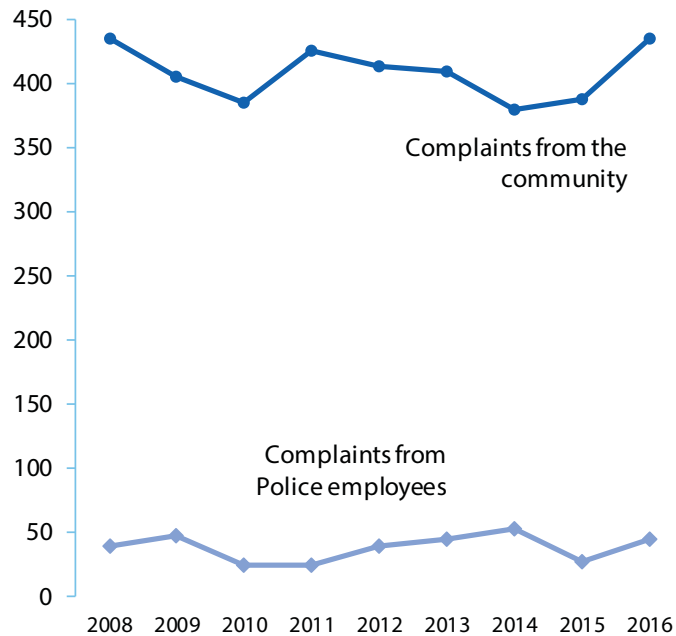
More information about police shootings in Portland can be found in reports produced by outside experts on contract to the Auditor's Office: <https://www.portlandoregon.gov/ipr/54263>

Who filed complaints with IPR?

Complaints from community members and police employees increased in 2016

Community members and Portland Police Bureau employees filed 480 reports of officer misconduct in 2016. Community members filed 435 reports, the most since 2008 and higher than the most recent five-year average of 405 complaints. Police Bureau employees filed 45 complaints of misconduct against officers, slightly higher than the five-year average of 42.

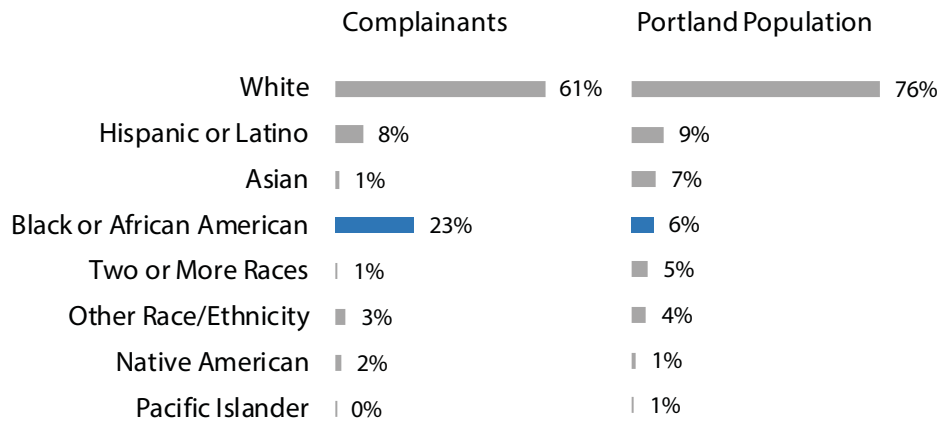
Figure 5 Community complaints increased to the highest level since 2008



Disproportionate demographic trends continued

African-Americans filed 23 percent of community complaints, while only comprising 6 percent of Portland’s population. Whites and Asians filed complaints at a rate lower than their presence in the general population. Although the percentage of complainants identifying as African-American rose slightly since 2015 (21 percent), the overall demographic breakdown is also consistent with historical trends.

Figure 6 African Americans filed more complaints than their proportion to the Portland population



Case Summary: Lack of tracking data leads to inability to identify officers who contacted boy

A mother contacted IPR to report that her 13-year-old African-American son had been stopped by police due to his race. Portland Police officers questioned her son on his grandmother’s porch while he was waiting to be let into the house. His mother had dropped him off and waited in her vehicle to ensure he safely entered the house.

Officers shined a spotlight from the side of their police vehicle on him and asked him a series of questions before driving away after his aunt answered the door. Neither the young man nor his relatives could identify the officers.

To investigate the allegation of disparate treatment, IPR contacted supervisors at a precinct and a specialty unit who provided names of officers they believed were involved. The IPR investigator conducted interviews of the young man, members of his family, several members of the Police Bureau, and the officer in charge of Fleet Services.

The officers interviewed were able to show that they had not contacted the young man. The officers also said there were persistent issues with the GPS systems in their unit’s vehicles, which limited IPR’s ability to identify the officers involved.

IPR collects demographic information for the purposes of tracking and addressing equity issues in policing practices and accountability. IPR investigators ask each complainant their date of birth and/or age, gender identity, and racial and/or ethnic identity. IPR recognizes complainants may be hesitant to provide personal information; the information, however, serves only to identify and address issues of equitable access and treatment, not individuals.

African-Americans also accounted for the majority of disparate treatment complaints in 2016 (56 percent). Disparate treatment means that a person’s encounter with an officer was based on a physical characteristic, such as gender, race, or disability. Those who identify as Hispanic or Latino also made disparate treatment allegations at a level above their representation in the city’s population (16 percent).

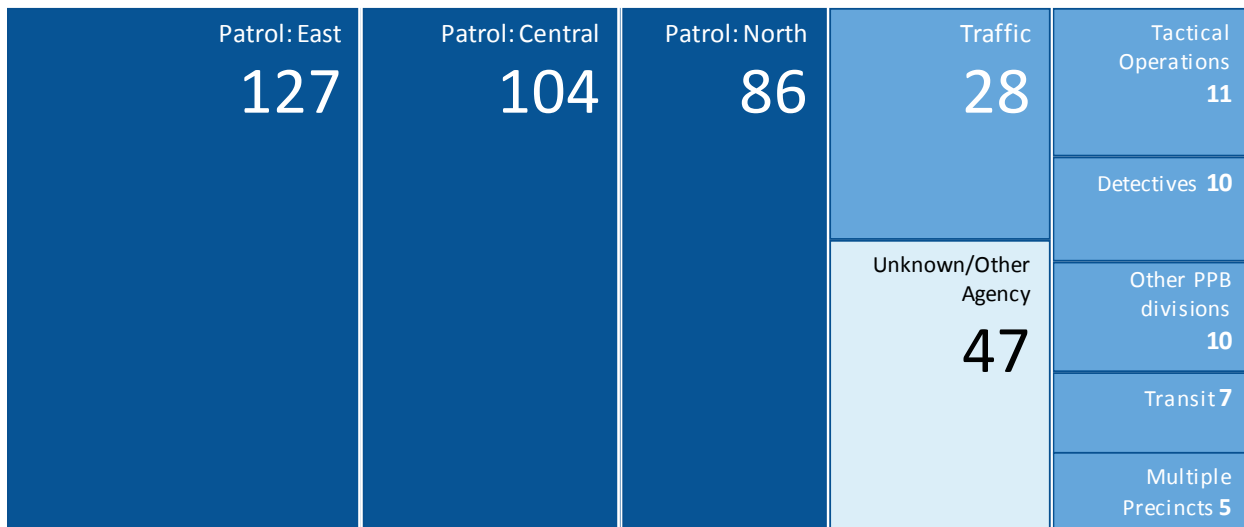
More men (53 percent) than women filed complaints in 2016, which is consistent with historical data.

Who were the subjects of the complaints?

Most complaints were about patrol and traffic officers

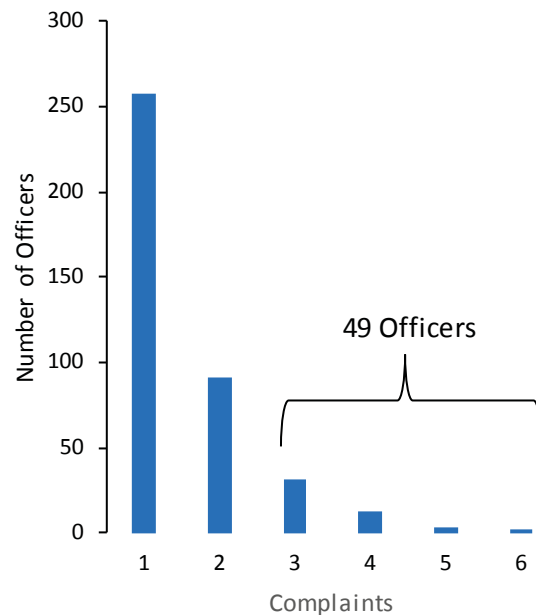
Most complaints filed by community members stemmed from encounters with officers assigned to one of the Police Bureau’s three patrol precincts (73 percent). The Traffic Division was the source of the most complaints (6 percent) not associated with a particular precinct. These results follow historical trends.

Figure 7: Patrol officers accounted for most of the complaints



Forty-nine officers named in three or more complaints

Most officers who were the subject of complaints received one. Forty-nine officers received three or more complaints in 2016, up from 30 in 2015. Five of those officers were named in five or six complaints. Multiple reported incidents should cause supervisors to intervene with officers whether or not allegations are sustained.

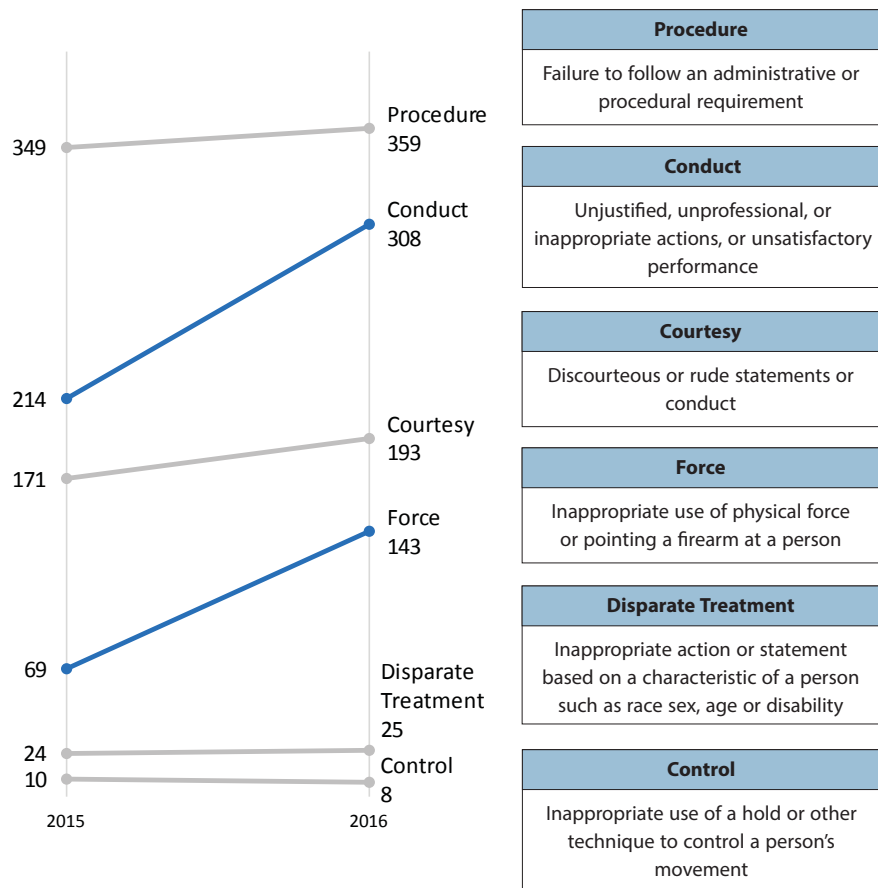


What were the complaints about?

Most types of allegations from community members increased in 2016

A complaint can involve more than one allegation of misconduct. The 435 community member complaints contained 1,036 allegations. Figure 8 defines the types of allegations that were filed and shows the change in each allegation type compared to 2015.

Figure 8 Conduct and force complaints increased most

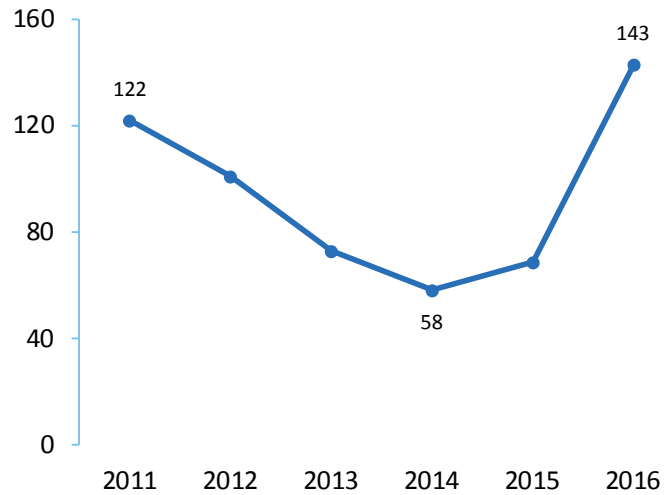


Procedure allegations were the most common allegation type overall and for most racial groups. African-Americans and Asians were the exceptions, alleging more conduct violations than other types. Figure 8 also shows sharp increases in conduct and force allegations. Some of the higher numbers of force and conduct complaints stemmed from street protests in September and October.

Community force allegations followed a different trend than Police Bureau data

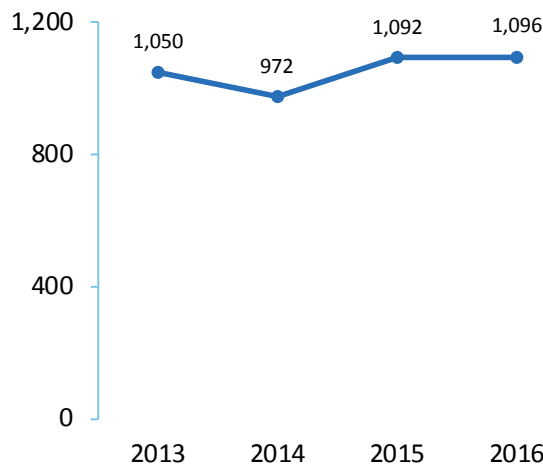
In 2016, community members filed 62 complaints alleging 143 force violations by officers. Although force allegations had been declining since 2011, last year saw an increase above that year's levels (as seen in Figure 9).

Figure 9 Force allegations made by community members highest in years



This rise differed from the relatively static use of force recorded by Portland police officers shown in Figure 10.

Figure 10 Force incidents recorded by Bureau were relatively steady



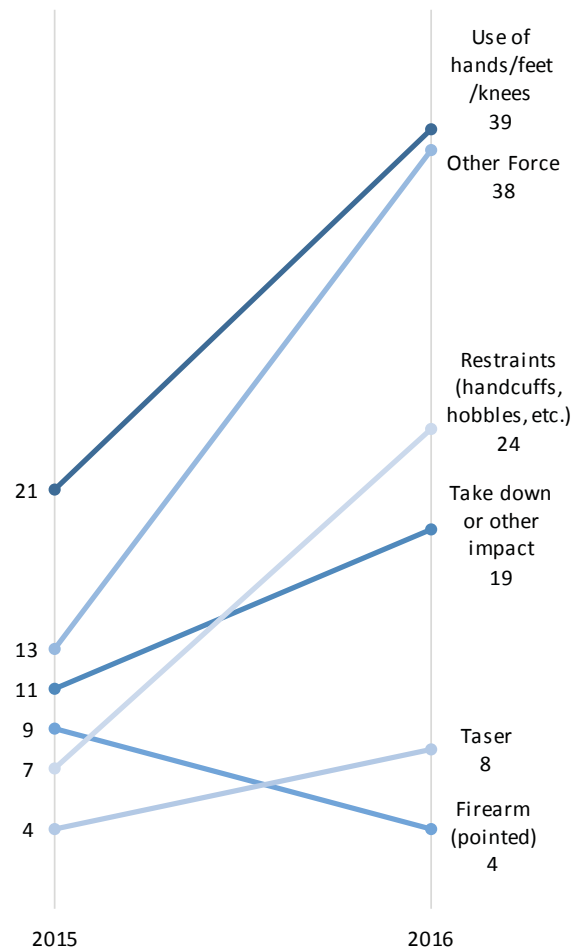
A difference between Police Bureau force data and community complaint data is that the latter includes types of force that are not required to be reported in the Police Bureau’s use of force data collection reports.

An example would be when an officer pushes someone in a crowd control situation. Such an action could be considered an appropriate crowd control technique as described in Police Bureau policies even though a community member may interpret it as an inappropriate use of physical force.

All types of force allegations from community members increased except for those involving firearms

IPR categorizes allegations of force based on the community member’s description of their interaction with police and other available evidence.

In 2016, community members alleged more of all types of force except for those involving firearms. The largest increase was in the category of “Other Force,” which included allegations that officers grabbed or pushed community members with unnecessary force. This category also included allegations that officers improperly managed situations involving force or unnecessarily precipitated the use of force.



Police employees made more conduct complaints

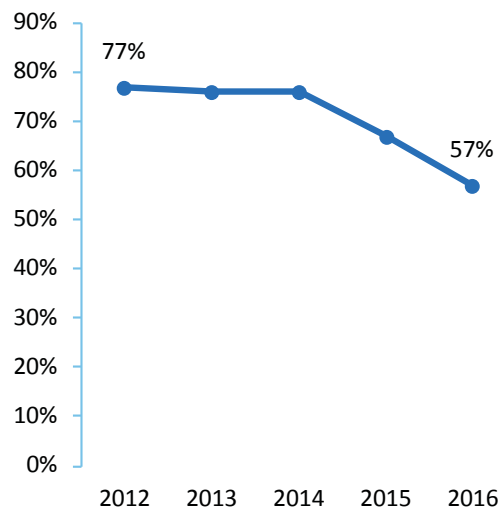
In contrast to previous years, complaints from Police Bureau employees in 2016 most commonly included conduct violations. Seventy-three percent of the 45 complaints involved conduct issues, such as using demeaning or defamatory language. This type of complaint outnumbered procedure allegations, which are historically the most common type filed by employees.

What did IPR do with complaints?

IPR's dismissal rate continued to decline

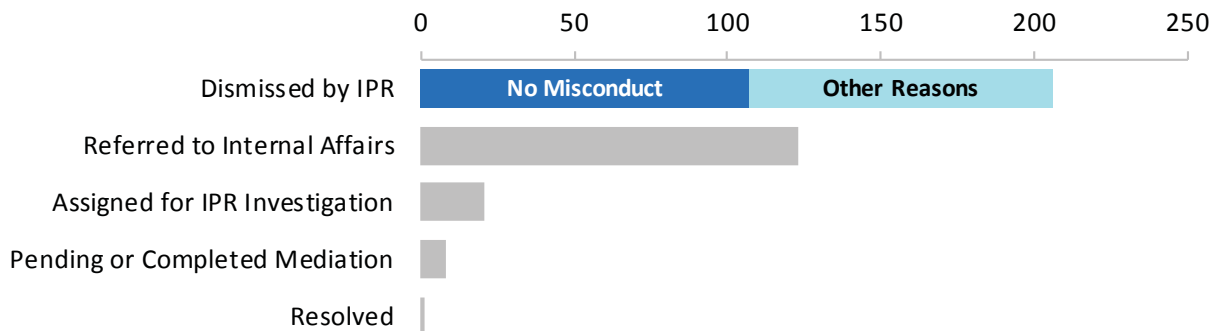
IPR completed intake assessments of 360 community complaints in 2016 to determine if they were eligible for further investigation. To proceed, IPR must be able to identify the individual officer who is the subject of the complaint, the nature of the allegation being made, and whether preliminary information indicates that misconduct might have occurred. IPR decided 206 (57 percent) of the 360 complaints were not eligible for further action, a lower dismissal rate than in 2015 (67 percent).

Figure 11 Complaint dismissal rate drops



Forty-four of the complaints IPR decided would not proceed to a formal investigation were subsequently brought to the attention of precinct commanders for follow-up. Preliminary information indicated these cases would not rise to the level of misconduct but that the officers' performance could be improved with the assistance of their supervisors. Figure 12 shows how cases were distributed by IPR.

Figure 12 Half of cases dismissed because conduct alleged did not violate Police Bureau policy



More than half of IPR’s dismissals (52 percent) occurred because the conduct as alleged did not violate Police Bureau policy. Other dismissal reasons included:

- Unable to identify the officer based on the information provided by the complainant (18 percent);
- Complainant withdrew or was unavailable for follow-up (8 percent);
- Length of time that elapsed between the incident as alleged and the filing of the complaint (3 percent).

Case Summary: Preliminary evidence and court decision led to complaint dismissal

A woman reported she received a traffic ticket for speeding in a school zone where there were no signs posted. She contested the citation in court, and alleged the officer manipulated the judge into believing that the complainant was easily confused. The court found the complainant at fault and she paid a fine.

An IPR investigator went to the location and found signs informing motorists of the school zone.

IPR did not assign the case for additional investigation because preliminary information did not support the allegation and the court also had decided against the complainant’s version of the incident.

IPR referred 34 percent of community member complaints (123) to Internal Affairs, a higher rate than the past two years. IPR monitors all Internal Affairs investigations and must approve case files before they proceed to the disciplinary phase.

Case summary: Witnesses, video did not support complainant's allegation

A woman contacted IPR and stated she had a negative interaction with an unknown Portland Police officer in a grocery store at an unknown date or time. She indicated she had been recently released from a hospital and had been having a negative reaction toward the prescription sleep aid Ambien, which had caused memory and consciousness issues.

In her IPR interview, the complainant had difficulty explaining what the officers had said or done, but felt as though they were "very rude." She indicated the officers told her she had to leave the store numerous times before informing her she was trespassing.

IPR identified the time, date, and location where the incident occurred and also learned the complainant had been arrested at the grocery store for criminal trespass, which she did not remember happening.

Two employees of the grocery store told IPR the complainant had entered the grocery store after it had been closed for the evening, refused to leave, appeared to be intoxicated, and had been involved in numerous verbal altercations with employees. The witnesses indicated the responding officers behaved professionally. IPR subpoenaed the grocery store for the video surveillance footage of the incident, which corroborated the witnesses' statements.

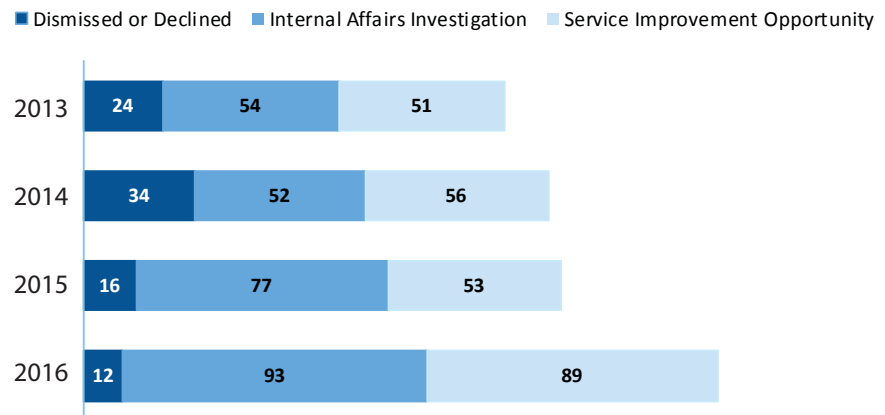
IPR did not assign the complaint for additional investigation because facts gathered during the intake assessment contradicted the allegation.

Internal Affairs intake data followed similar trends

Like IPR, Internal Affairs may take complaints from the community or bureau members and decide whether they will proceed to an investigation. Internal Affairs’ complaint intake decisions followed similar patterns to IPR’s with fewer dismissed or declined cases and more investigations.

IPR also can refer complaints that likely won’t result in discipline to an officer’s supervisor if IPR determines that management intervention could improve the officer’s job performance. These cases are known as service improvement opportunities, and they also increased in 2016.

Figure 13 Internal Affairs Investigates more cases



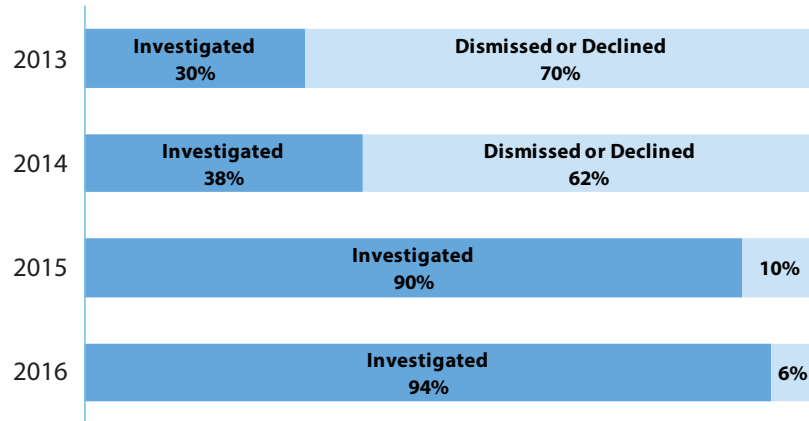
Conduct and force allegations were the most common allegations in Internal Affairs investigations. Procedure and courtesy allegations more frequently were referred to officers’ supervisors for follow-up.

Nearly all force complaints were investigated

Prior to the City’s settlement agreement with the U.S. Department of Justice, the majority of force complaints were dismissed by IPR or declined by Internal Affairs. Since the agreement went into effect in August 2014, cases involving force can only be dismissed by IPR if there is “clear and convincing” evidence that the allegation has no basis in fact.

In 2016, nine of 143 force allegations (6 percent) were dismissed or declined. The reasons for the dismissals were: an individual officer could not be identified, the officer worked for another jurisdiction, the complainant was not reliable, or no misconduct had occurred. Figure 14 shows the increase in investigations into force allegations since 2013.

Figure 14 More force complaints were investigated



What happened after the investigation was completed?

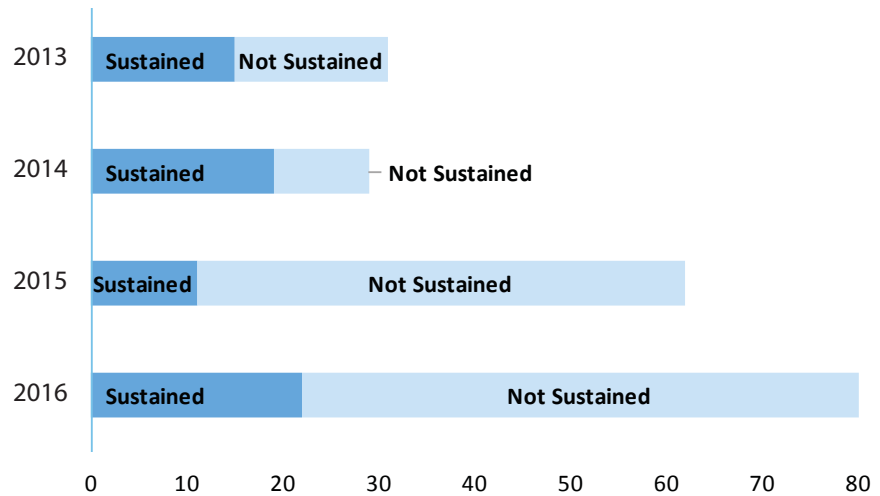
Police Bureau supervisors sustained fewer allegations made by community members than those made by police employees

Police Bureau supervisors can reach one of four conclusions when considering whether the evidence gathered by IPR or Internal Affairs supports an allegation. They can:

- **Sustain** the allegation as a violation of Bureau policy or procedure;
- **Not sustain** the allegation, because the evidence was insufficient to prove it;
- **Exonerate** the officer's actions, because they were lawful and within Bureau policy;
- Find the allegation to be **unfounded**, because it was false or without a credible basis as a possible violation of Bureau policy or procedures.

IPR and Internal Affairs completed 80 full administrative investigations into community member complaints in 2016, 18 more than last year. Based on those investigations, Police Bureau supervisors sustained one or more allegations in 22 cases (28 percent). This is an increase of 10 percent from 2015, but still lower than past years, as shown in Figure 15.

Figure 15 Most investigations did not lead to sustained findings



Case Summary: Commander sustains one allegation of four

A man told IPR he was in his car at a hotel parking area in southeast Portland when three officers approached him. He alleged one officer threatened to arrest him, pulled him out of his car, and handcuffed him. The complainant also described his arm being twisted back and said he was pushed onto the trunk of a patrol car.

IPR spoke to hotel staff, obtained hotel video of the incident, and used dispatch records to identify the officers. No reports regarding the incident had been made by the officers.

IPR identified four allegations:

- Two allegations of excessive force; one regarding removal from the vehicle, and the other related to being pushed onto a patrol vehicle.
- One allegation of violating procedure because if force occurred, then a report should have been made.
- One allegation of a courtesy violation related to threatening comments.

IPR referred the case to Internal Affairs to investigate further. Internal Affairs was unable to find the complainant for an additional interview, but developed information from hotel staff and the officers.

The East Precinct Commander sustained the procedure allegation, because the officer should have filed a report after handcuffing the complainant. The commander found there was not enough evidence to sustain the other allegations.

IPR and Internal Affairs completed 19 investigations of Police Bureau employee complaints against their co-workers in 2016. Most (79 percent) had one or more allegations that were sustained, which is higher than 2015 (68 percent), but lower than the five-year average (81 percent). The investigations into complaints filed by Police Bureau employees contained 39 allegations, 67 percent of which were sustained.

28% of **community** complaints had a sustained finding

79% of **police** employee complaints had a sustained finding

Many of the force complaints made in 2016 came late in the year and are still under investigation or awaiting findings. Findings have been decided for 80 force allegations and six were sustained (8 percent). No force allegations were sustained in 2014 or 2015.

Police Review Board sustained 75 percent of complaints

Cases involving moderate-to-serious discipline, officer-involved shootings, deaths of people in police custody, or use-of-force that causes serious injury are presented to the Police Review Board before they advance to the Police Chief for his review. The Review Board, which is internal to the Police Bureau, is made up of police personnel, an IPR manager, and community volunteers, including a member of the Citizen Review Committee in force cases.

The Review Board considered 24 complaints last year, 75 percent of which had one or more allegations that were sustained. Of the two deadly force incidents reviewed, both were found to be within policy. IPR can dispute a Police Bureau supervisor's findings and cause the case to be heard by the Review Board. In 2016, IPR referred five cases for review when it disagreed with supervisors who did not sustain allegations. For more information about cases considered by the Police Review Board, reports are available at:

<http://www.portlandoregon.gov/police/55365>

**Citizen Review
Committee challenged
Police Bureau findings**

Once a decision has been made within the Police Bureau whether an officer's conduct violated policy, either the officer or the community member who filed the complaint may appeal the finding to the 11-member Citizen Review Committee.

The purpose of the appeal process is for the Committee volunteers to determine if the investigation was sufficiently thorough and whether the police supervisor's findings were reasonable based on the evidence.

The Committee does not have jurisdiction over some types of cases. It does not hear appeals of decisions stemming from complaints filed by Police Bureau members, officer-involved shootings, or deaths of people while in police custody.

The Committee heard seven appeals in 2016. It affirmed findings in three cases and challenged findings in four cases. Three of these challenges led the Police Chief to change the findings. One other challenge was not accepted.

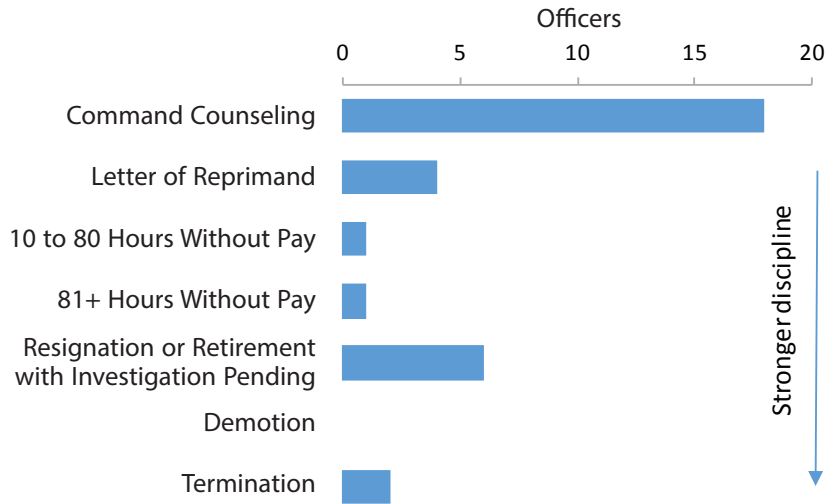
In 2016, committee members received training to prepare them for their service, including, oppression theory, equity, legal issues, communication, and use of force. The group also participated in sessions related to strengthening the committee internally.

**Some officers lost pay
or their job for their
misconduct**

Discipline for a sustained finding of misconduct falls within a range. The mildest types of discipline include counseling by a commander or a letter of reprimand. More serious types include a demotion, days off without pay, or termination of employment. Some officers resign while an allegation of misconduct is being investigated.

Thirty-two police officers were disciplined last year, up from 28 in 2015. Six officers left the bureau while under investigation. The allegations against them were sustained. Two officers were terminated for their misconduct. Most officers were disciplined for sustained findings of unprofessional or unlawful conduct.

Figure 16 Thirty-two officers were disciplined in 2016



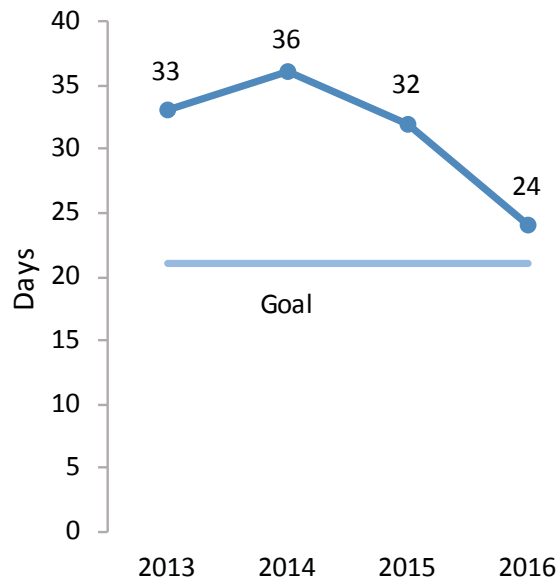
How long did the process take?

Continued progress made toward shorter timelines

IPR uses two indicators to monitor timeliness trends: 1) the median number of days from the date a complaint is filed until an IPR manager makes an initial case-handling decision (intake assessment), and 2) the median number of days it takes from the date IPR refers a case to Internal Affairs to the date Internal Affairs sends back a completed investigation and the supervisor’s findings (investigation).

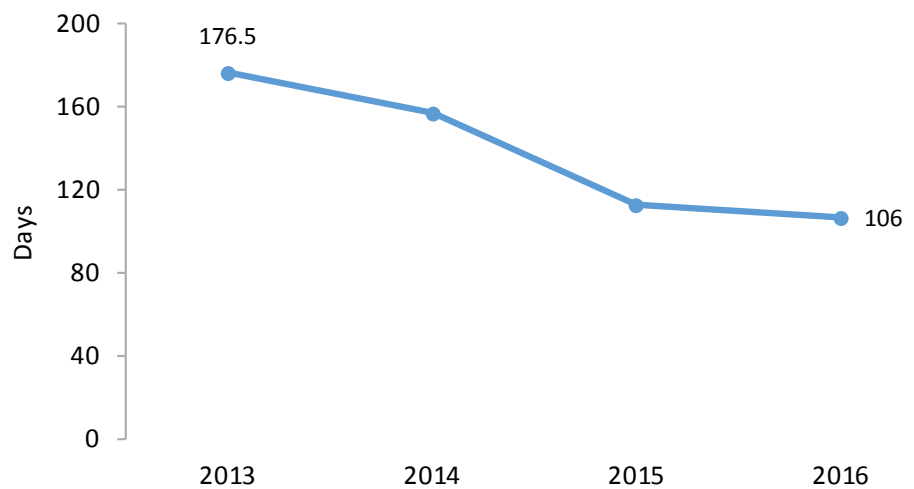
The median number of days it took to complete an intake assessment decreased from 32 days in 2015 to 24 days in 2016. IPR’s goal is to conduct an intake assessment in 21 days. To meet its goal, IPR has moved to simplify its intake process and make more efficient use of its investigative resources. IPR also pursued changes to the City Code and case handling procedures in coordination with the Police Bureau that will further streamline this process.

Figure 17 IPR approaches its goal for intake investigation timeliness



The median number of days for investigations and findings also continued to decline, from 113 in 2015 to 106 in 2016. Figure 18 shows that this measure has steadily decreased since 2013.

Figure 18 Internal Affairs investigations are quicker

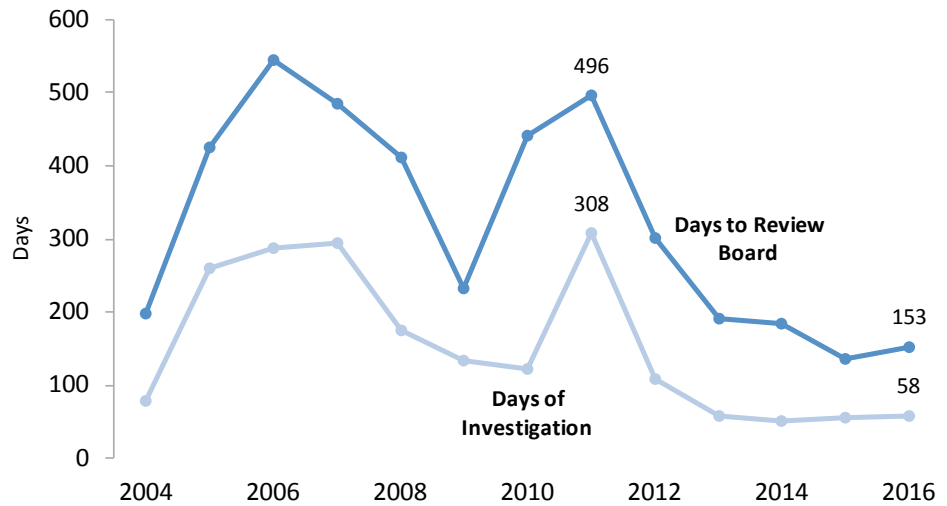


The time it took Police Bureau supervisors to complete written findings, rose slightly from 10 days in 2015 to 12 in 2016. This was less than the Police Bureau’s goal of 14 days. Police Review Board hearings were being completed in a timelier manner, improving from a median of 42 days in 2015 to 37 days in 2016.

Timeliness of investigations of officer-involved shootings has improved, but delays persist in parts of the process

The time it takes the Police Bureau to investigate officer-involved shootings and in-custody deaths has decreased from a median of 308 days in 2011 to 58 days in 2016. As shown in Figure 19, this trend is also mirrored in the median number of days it takes these cases to move to the Police Review Board.

Figure 19 Investigations of officer-involved shootings are faster



The Auditor’s Office contracts with outside experts to review closed files of officer-involved shootings and make recommendations for improvement. The consultants review the timeliness of investigations, police procedures and tactics, and other issues related to each incident. In a 2016 report, the authors attributed the decline in time to investigate and review shootings to the U.S. Department of Justice’s 2012 findings and the 2014 settlement agreement with the City. The agreement set a six-month timeline for the Bureau to complete its officer-involved shootings review process.

The report shows that, in recent years, cases were sometimes marked by significant delays at each stage before a case reached the Police Review Board: Internal Affairs investigation, Training Division review, and Commander’s findings. They note IPR has helped address some of these delays by urging the Police Bureau to proceed with their administrative investigation and not wait for the completion of the criminal case. To further improve timeliness, the consultants and the

Department of Justice recommended eliminating redundant review stages, such as the Commander's findings. The Auditor's Office pursued code changes related to those recommendations in the fall of 2016, but there was not enough political support on City Council to adopt them.

The consultant's 2016 report can be found at:
<https://www.portlandoregon.gov/ipr/article/564896>



IPR: 1221 SW 4th Avenue, Room 140 | Portland, OR 97204 | (503) 823-0146

Fax: 503-823-4571 | IPR@portlandoregon.gov

Citizen Review Committee: (503) 823-0926 | CRC@portlandoregon.gov

IPR Annual Report 2016 - Data Appendix

Community and Bureau Complaints Reported in Calendar Year

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Community	660	435	405	385	426	413	409	379	388	435
Bureau	24	40	48	24	25	39	45	53	28	45
Total	684	475	453	409	451	452	454	432	416	480

Community Complaint Allegations by Category

<u>Allegation Category</u>	2013		2014		2015		2016	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Procedure	342	36%	289	37%	349	44%	359	35%
Conduct	253	27%	186	24%	214	27%	308	30%
Courtesy	199	21%	215	27%	171	21%	193	19%
Force	73	8%	58	7%	69	9%	143	14%
Disparate Treatment	44	5%	27	3%	24	3%	25	2%
Control Technique	26	3%	14	2%	10	1%	8	1%
Total Allegations	937		789		800		1036	
Complaints Received	409		379		388		435	

Bureau Complaint Allegations by Category

<u>Allegation Category</u>	2013		2014		2015		2016	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Conduct	32	44%	35	41%	24	40%	67	70%
Control Technique	0	0%	0	0%	0	0%	0	0%
Courtesy	3	4%	1	1%	5	8%	3	3%
Disparate Treatment	0	0%	1	1%	0	0%	0	0%
Force	0	0%	0	0%	0	0%	0	0%
Procedure	37	51%	49	57%	31	52%	26	27%
Total Allegations	72		86		60		96	
Complaints Received	45		53		28		45	

IPR Annual Report 2016 - Data Appendix

Findings in Community Cases Completed in Calendar Year

	2013		2014		2015		2016	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent
One or More Sustained Findings	15	48%	19	66%	11	18%	22	28%
All Not Sustained	16	52%	10	34%	51	82%	58	72%
	31		29		62		80	

Findings on Community Allegations by Complaint Category during 2016

	Conduct	Control	Courtesy	Disparate Treatment	Force	Procedure	Finding Total	Percent
Sustained	22	0	3	0	2	13	40	14%
Not Sustained	15	3	11	6	37	35	107	39%
Not Sustained w/debriefing	10	1	8	1	4	16	40	14%
Unfounded	9	0	0	1	15	11	36	13%
Exonerate	14	0	1	3	27	1	46	17%
Exonerate w/ debriefing	4	0	1	0	1	2	8	3%
Category Total	74	4	24	11	86	78	277	

Findings in Bureau Cases Completed in Calendar Year

	2013		2014		2015		2016	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent
One or More Sustained Findings	20	87%	24	86%	15	68%	15	79%
All Not Sustained	3	13%	4	14%	7	32%	4	21%
	23		28		22		19	

Findings on Bureau Allegations by Complaint Category during 2016

	Conduct	Control	Courtesy	Disparate Treatment	Force	Procedure	Finding Total	Percent
Sustained	14	0	2	0	0	10	26	67%
Not Sustained	6	0	0	0	0	0	6	15%
Not Sustained w/debriefing	1	0	1	0	0	3	5	13%
Unfounded	1	0	0	0	0	0	1	3%
Exonerate	1	0	0	0	0	0	1	3%
Category Total	23	0	3	0	0	13	39	

IPR Annual Report 2016 - Data Appendix

Sources of Community Complaints Received by IPR

	2013		2014		2015		2016	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Phone	174	42%	197	52%	187	49%	200	46%
E-mail/Website	85	21%	79	21%	94	25%	97	22%
Walk-in	55	13%	42	11%	21	6%	42	10%
Precinct	15	4%	9	2%	19	5%	11	3%
Mail	38	9%	10	3%	17	4%	17	4%
Unknown/Other	15	4%	20	5%	16	4%	30	7%
Inter-office	10	2%	14	4%	13	3%	15	3%
940 Force Investigation	8	2%	3	1%	6	2%	6	1%
Fax	9	2%	4	1%	3	1%	0	0
Tort Notice	1	<1%	1	<1%	3	1%	15	3%
Outreach Event	-	-	-	-	2	<1%	2	<1%
Total*	410		379		381		435	

* Complainant contact counts are shown. Because multiple complainants can be named on any given complaint, and they can file multiple complaints, this count may differ from the annual community complaint count.

Community Complainant Demographics

	2013	2014	2015	2016		Proportion of Portland's Population**
	Percent	Percent	Percent	Number	Percent*	
Gender						
Female	46%	45%	47%	209	53%	51%
Male	54%	55%	53%	186	47%	50%
Unknown				26		
Race/Ethnicity						
Asian	2%	5%	2%	4	1%	7%
Black or African American	20%	19%	21%	70	23%	6%
Hispanic or Latino	4%	5%	2%	25	8%	9%
Native American	3%	2%	3%	6	2%	1%
Native Hawaiian/ Other Pacific Islander	0%	<1%	0%	1	<1%	1%
White	69%	65%	66%	187	61%	76%
Two or More Races	2%	2%	1%	3	1%	5%
Other Race/Ethnicity	1%	2%	5%	10	3%	4%
Unknown				115		
Age						
24 Years and Younger	17%	15%	9%	44	13%	29%
25-34 Years	29%	26%	26%	85	25%	20%
35-49 Years	28%	33%	30%	121	35%	23%
50-64 Years	21%	23%	29%	70	20%	18%
65 Years and Older	5%	4%	6%	22	6%	10%
Unknown				79		
Total Complainants	416	404	396	421		

* Percent Calculations exclude responses of 'unknown'

** U.S. Census Data

IPR Annual Report 2016 - Data Appendix

IPR Screening Decisions Made During Calendar Year

	2013		2014		2015		2016	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent
Dismissed by IPR	256	76%	268	75%	244	67%	206	57%
Referred to Internal Affairs	75	22%	72	20%	96	26%	123	34%
Assigned for IPR Investigation	0	0%	7	2%	10	3%	22	6%
Pending or Completed Mediation	7	2%	8	2%	12	3%	8	2%
Referred to Other Agency	0	0%	3	1%	1	0%	0	0%
Resolved	0	0%	0	0%	0	0%	1	0%
	338		358		363		360	

IPR Dismissal Reasons

	2013		2014		2015		2016	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent
No Misconduct	127	50%	150	56%	129	53%	107	52%
Unable to Identify Officer	22	9%	33	12%	35	14%	37	18%
Complainant Unavailable/Withdrew	27	11%	25	9%	25	10%	17	8%
Cannot Prove Misconduct	43	17%	16	6%	6	2%	7	3%
Filing Delay	7	3%	11	4%	6	2%	6	3%
Not Reliable, Credible, or Logical	2	1%	6	2%	3	1%	6	3%
All Other Reasons	28	11%	27	10%	40	16%	26	13%
Total Dismissals	256		268		244		206	

Internal Affairs Case Assignments

	2013	2014	2015	2016
Service Improvement Opportunity	51	56	53	89
Investigation	54	52	77	93
Dismissed or Declined	24	34	16	12

Most Common Allegations in Service Improvement Opportunities – 2016

Action or assistance - inadequate	34
Rude behavior or language	33
Unprofessional conduct - on-duty	15
Investigation - inadequate/improper	14
Other - Procedure	12

IPR Annual Report 2016 - Data Appendix

Frequency of Complaints Against Employees by Year

Number of Complaints	2013	2014	2015	2016
8+	0	0	0	0
7	0	0	0	0
6	2	0	0	2
5	6	1	2	3
4	11	8	8	13
3	39	22	20	31
2	104	74	80	91
1	203	242	223	257
Total*	365	347	333	397

* Includes bureau and community complaints

Complaints by Precinct or Division

	2013		2014		2015		2016	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
East	125	31%	106	28%	100	26%	127	29%
Central	120	29%	100	26%	86	22%	104	24%
North	72	18%	83	22%	86	22%	86	20%
Precinct Subtotal	317	78%	289	76%	272	70%	317	73%
Traffic	36	9%	33	9%	28	7%	28	6%
Detectives	8	2%	5	1%	7	2%	10	2%
Transit	7	2%	7	2%	8	2%	7	2%
Tactical Operations Division	3	1%	4	1%	9	2%	11	3%
Large Event/Multiple Precincts	-	-	4	1%	2	1%	5	1%
All Other Portland Divisions	11	3%	9	2%	9	2%	10	2%
Unknown/Other Agency	27	7%	28	7%	53	14%	47	11%
Total	409		379		388		435	

IPR Annual Report 2016 - Data Appendix

Police Review Board Findings in 2016

OIS-ICD Reviews found 'In Policy'	2
Community Complaints Sustained	10
Community Complaints Not Sustained	3
Bureau Complaints Sustained	8
Bureau Complaints Not Sustained	1
Total Cases and Reviews	24

Discipline, Resignations, Letters, and Counseling

	2013	2014	2015	2016
Termination	2	0	1	2
Demotion	0	0	0	0
Resignation or Retirement with Investigation Pending	3	7	4	6
81+ Hours Without Pay	0	1	1	1
10-80 Hours Without Pay	7	9	6	1
Letter of Reprimand	7	9	8	4
Command Counseling	17	15	8	18
Total	36	41	28	32

* Counts include officers disciplined in Bureau, Community, or Tort cases only.

IPR Annual Report 2016 - Data Appendix

IPR Force Complaints and Allegations compared to Police Bureau Force Reports

	2010	2011	2012	2013	2014	2015	2016
IPR Force Complaints	40	62	56	41	35	37	62
IPR Force Allegations	61	122	101	73	58	69	143
PPB Force Reports				1050	972	1092	1096

Types of Force in IPR Allegations

	2013	2014	2015	2016
Hands/feet/knees	30	19	21	36
Striking instrument - baton, flashlight, etc.	2	0	2	2
Take down or other impact	7	18	11	19
Firearm - display/use	1	0	1	0
Firearm - pointed	5	1	9	3
Other - Force	10	15	13	29
Taser	5	2	4	8
Restraints - handcuffs, hobbles, etc.	5	2	7	26
Vehicle	2	0	0	2
Dog/Horse	2	1	0	0
Aerosol	4	0	1	2
Impact munition	0	0	0	1

Force Complaints Investigated

	2013		2014		2015		2016	
	Cases	Allegations	Cases	Allegations	Cases	Allegations	Cases	Allegations
Investigated	12	22	13	22	32	62	58	134
Dismissed or Declined	29	51	22	36	5	7	4	9
Total	41	73	35	58	37	69	62	143
Sustained	3	4	0	0	0	0	4	6*
Open Cases/Allegations	0	0	0	0	2	3	20	54

IPR Annual Report 2016 - Data Appendix

Timeliness

	2013	2014	2015	2016
Combined Timeliness Measures:				
Overall Case Closure ¹	55.5	56	51	48
for IPR Dismissals	34	37.5	35	24
for Internal Affairs Declines	88	92.5	62	60
for Full Investigations (Internal Affairs)	325	278	231	200
for Full Investigations (IPR)	-	-	261.5	247.5
for Service Improvement Opportunities	84	72	64.5	50
IPR Timeliness Measures:				
Completion of Intake Investigations (w/ IPR Director Decision) ²	33	36	32	24
Internal Affairs and Other Police Bureau Timeliness Measures:				
Internal Affairs Assignment of (Non-declined) Cases ³	5	8	5	7
Internal Affairs Investigations Completed ⁴	71.5	55	59	63
Internal Affairs Declines Completed ⁵	43	57.5	37	15
Service Improvement Opportunities Completed ⁶	19	27.5	13	14
Command Review of Investigations ⁷	12	17.5	10	12
Review Board Scheduled and Held ⁸	66	54	42	37
Full Investigation Process Complete (w/ Findings, Review Level, etc.) ⁹	176.5	157	113	106

¹ Measured from the day a complaint is received to the day it is closed.

² Measured from the date IPR receives the complaint to the date the IPR director makes an intake decision. Does not include bureau complaints, officer-involved shootings, or in-custody deaths as those cases do not originate with IPR.

³ Measured from the day the case is sent to Internal Affairs to the day Internal Affairs management assigns the case to an investigator or to a precinct.

⁴ Measured from the day Internal Affairs management assigns a case to an investigator to the day the investigator completes the investigation.

⁵ Measured from the day the case is sent from IPR to Internal Affairs to the day IPR receives the declined complaint back from Internal Affairs with a letter of explanation.

⁶ Measured from the day the case is assigned by Internal Affairs as a Service Improvement Opportunity to the day the Bureau Manager completes the Service Improvement Opportunity.

⁷ Measured from the day Internal Affairs sends the case to a Bureau Manager for the finding to the day the Bureau Manager makes the finding.

⁸ Measured from the day the Bureau Manager makes the finding to the day of the Board hearing.

⁹ Measured from the day the case is sent from IPR to Internal Affairs to the day IPR receives the completed case including findings from Internal Affairs.

IPR Annual Report 2016 - Data Appendix

Officer Involved Shootings and In-Custody Deaths by Year

	2010	2011	2012	2013	2014	2015	2016
Officer-involved shootings	6	4	6	2	4	6	2
In-custody deaths	0	1	0	0	0	0	0

Timeliness of Investigations into Officer Involved Shootings

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Total Case Time	423	477	559	556	432	243	468	660	350.5	226	200	161	183
Days to Review Board	197	426	544.5	484	412	233	442	496	300.5	190	185	136	153
Days to Finding	173.5	362	497.5	421	330	175	360	433	228.5	149	135	91.5	108.5
Days of Investigation	78.5	260	288.5	295	174	133	122.5	308	107.5	58	51	54.5	58