

# Independent Police Review

Annual Report 2018



PORTLAND  
CITY AUDITOR

**Independent  
Police Review**

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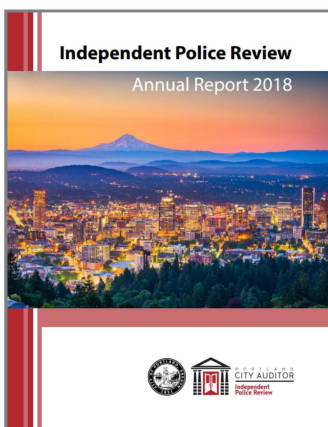
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# Independent Police Review

## Highlights from 2018

Independent Police Review (IPR), a division of the City Auditor's office, provides impartial civilian oversight of the Portland Police Bureau. It receives, investigates, and monitors allegations of police misconduct submitted by community members or Police Bureau employees.

In 2018, IPR received more complaints than in 2017 from both community members and Police Bureau employees. Even though the number of complaints increased 12 percent, IPR made progress toward its goal of completing the intake process within 21 days. Additional investigators and more efficient case routing decreased the median number of days for intake to 26 from 33 in 2017.

IPR, which conducts investigations independent of the Police Bureau's Internal Affairs, initiated more investigations than in 2017.

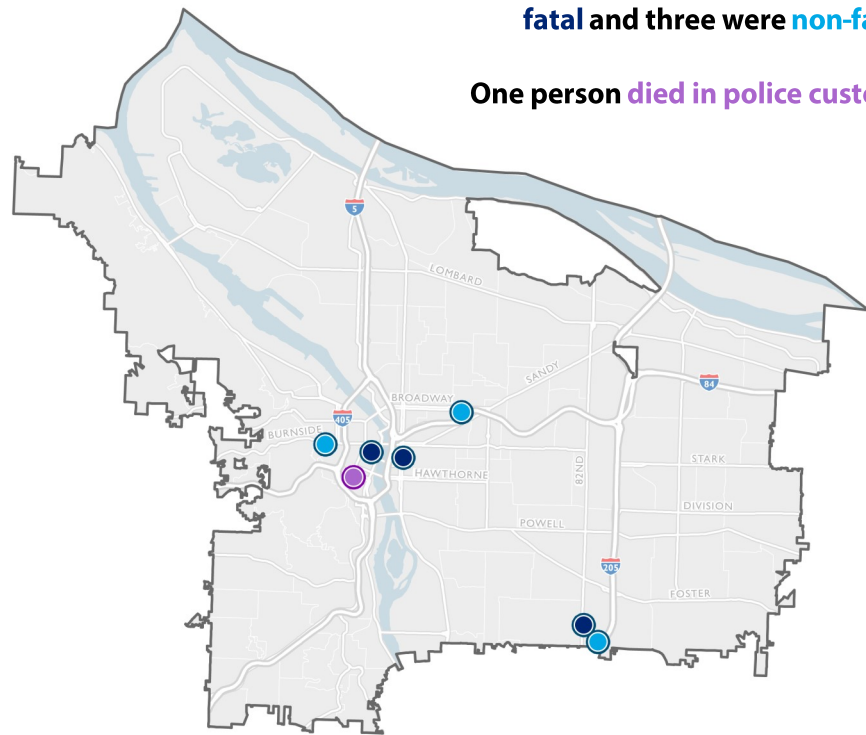
Community member contacts	<b>1,663</b>	<b>↗</b>
Misconduct complaints from community members	<b>415</b>	<b>↗</b>
Misconduct complaints from Bureau members	<b>77</b>	<b>↗</b>
Median days to complete intake investigation	<b>26</b>	<b>↘</b>
Investigations by IPR	<b>25</b>	<b>↗</b>

**IPR monitored seven deadly force investigations**

IPR monitored investigations by the Police Bureau of six officer-involved shootings and one in-custody death. Of these seven investigations, the majority of people involved were white (six) and male (six) and half of the shootings were fatal.

**Three officer-involved shootings were fatal and three were non-fatal**

**One person died in police custody**



For up-to-date information on officer-involved shootings and in-custody deaths visit [IPR's interactive dashboard](http://www.portlandoregon.gov/ipr/ois) (www.portlandoregon.gov/ipr/ois). The dashboard is useful for selecting specific data defined by the user.

**IPR implemented changes to the accountability system**

City Council adopted two Code changes in August 2017 that modified how cases expected not to result in disciplinary action are processed and granted additional investigative responsibility to IPR and Internal Affairs. IPR implemented its changes in July 2018:

- When a complaint alleges a minor rule violation, investigators may refer the case to a police supervisor for investigation, the conclusion of which is reviewed by IPR.
- IPR and Internal Affairs investigators are authorized to recommend findings at the end of a misconduct investigation. If an officer's supervisors disagree with the investigators' recommended findings, they must explain why. Prior to 2018, the officer's supervisor used facts gathered by investigators to make their own findings.

**IPR hired additional staff and investigated high-profile cases**

IPR added two new investigators and one new analyst to its staff in 2018. The new staff helped the office perform more timely investigations and increased IPR's capacity to improve police accountability through public reports and policy recommendations.

Protests involving Portland Police and other regional law enforcement agencies drew national media attention in 2018. IPR investigators fielded an influx of community inquiries and complaints about these incidents and conducted complex investigations into allegations of misconduct.

**Policy reviews and interactive dashboards increased transparency and accountability**

City Code authorizes IPR to make policy recommendations to the Police Bureau. IPR determines topics for policy reviews based on input from community members, Police Bureau members, and trends in IPR complaints. View IPR's policy reviews at [www.portlandoregon.gov/ipr/policyreviews](http://www.portlandoregon.gov/ipr/policyreviews).

- [IPR reviewed crowd control tactics used by Portland Police](#) during a June 2017 protest where officers detained and photographed nearly 400 protestors. IPR recommended changes to Bureau policy and procedures to provide clarity for community members and officers on which tactics are permitted in crowd control situations.
- [IPR also reviewed the Police Bureau's hiring process](#). Though increasing employee diversity is a priority, the review found a lack of data kept the Bureau from identifying points during which women and applicants of color exit the hiring process. IPR recommended the Police Bureau engage with the City's Bureau of Human Resources to share data and identify any barriers to achieving racial equity goals.

IPR maintains three online dashboards that enable community members to interact with data on [complaints](#), [allegations](#), and [officer-involved shootings and in-custody deaths](#). View all of IPR's interactive dashboards at [www.portlandoregon.gov/ipr/data](http://www.portlandoregon.gov/ipr/data).

**Outreach raised awareness in the community**

Each year, IPR strives to expand accessibility of services and engage diverse communities in improving police accountability.

In 2018, IPR worked with organizations serving the houseless community, listened to community members' views on policing and shared information about filing complaints or commendations with IPR.

IPR staff connected with chambers of commerce serving communities of color and strengthened relationships through Partners in Diversity. IPR revised its brochures and added a version in Lao. Brochures are available in 12 languages in a variety of locations and were distributed at crime prevention meetings by City staff and volunteers.

IPR staff attended events, festivals, forums, conferences, and connected with organizations that serve and support women and diverse communities. They also made presentations at neighborhood events, schools, community organizations and churches.

## How does the police accountability system work?

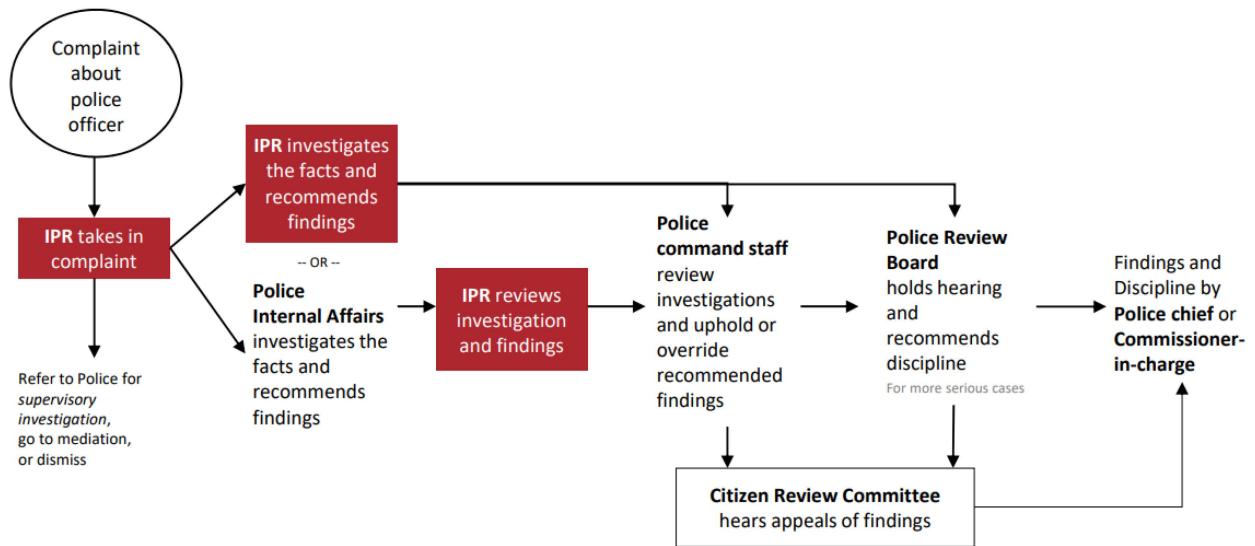
Typically, Portland’s police accountability system is set in motion when a community member or Police Bureau employee files a complaint alleging misconduct by an officer. Portland’s complaint investigation model divides various duties between the City Auditor, who as an elected official is independent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

Task	Auditor’s Independent Police Review	Police Internal Affairs	Police Commanders	Police Review Board	Police Chief	Police Commissioner (Mayor)	Arbitrator
Receives complaints	■	■					
Assigns/Dismisses complaints	■						
Investigates complaints	■	■					
Recommends whether violation occurred	■	■	■	■			
Decides if violation occurred					■	■	■
Recommends discipline			■	■	■		
Decides discipline					■	■	■
Monitors process	■						

The City Auditor oversees IPR, which acts as the central intake point for complaints, conducts an initial review to determine if further investigation is warranted and keeps the case to investigate or refers it to an officer’s supervisor or Internal Affairs to pursue. IPR monitors all cases investigated by Internal Affairs. Once an investigation is complete, the case file with the investigator’s recommended findings is submitted to the officer’s commanding officer to decide if the evidence gathered during an investigation supports the allegations in the complaint. If commanders disagree with the investigators’ findings, they must document their reasons. Commanders submit proposed findings and recommendations for any discipline for the next level of review or action.

IPR reviews all proposed findings by Police Bureau commanders. If IPR disagrees with a proposed finding, it may refer the completed investigation to the Police Review Board. The Police Review Board serves as an advisory body to the Chief of Police and is composed of police personnel, community members, and an IPR manager. The Review Board hears any case where an officer is facing possible discipline of at least one day of suspension without pay and all officer-involved shootings and in-custody deaths. Its role is to provide the final recommended findings, and, if warranted, the appropriate level of discipline to the Chief. The Review Board also makes policy and training recommendations.

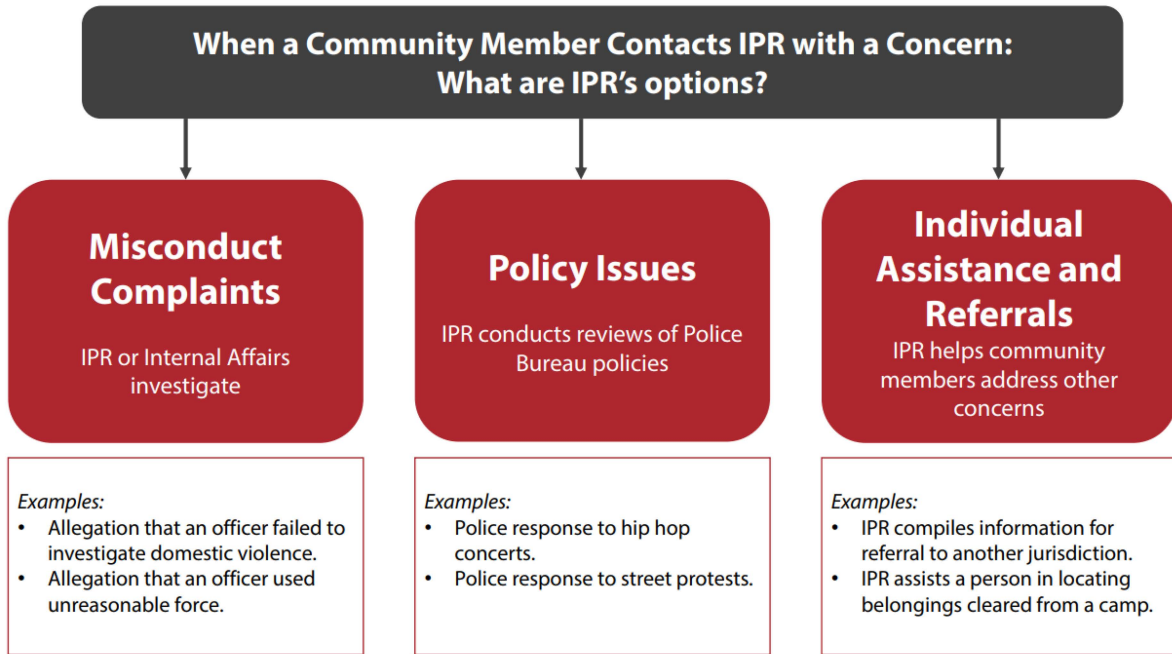
If complainants or officers disagree with a proposed finding, they can appeal to the Citizen Review Committee, an 11-member volunteer body that hears appeals of completed investigations. The Committee considers the quality of the investigation and assesses the reasonableness of the commander's proposed findings. It communicates its conclusions to the Chief to be considered in her decision whether to uphold the commander's findings. Unlike the Police Review Board, the Citizen Review Committee does not make recommendations to the Chief about discipline.





## How does the complaint process work?

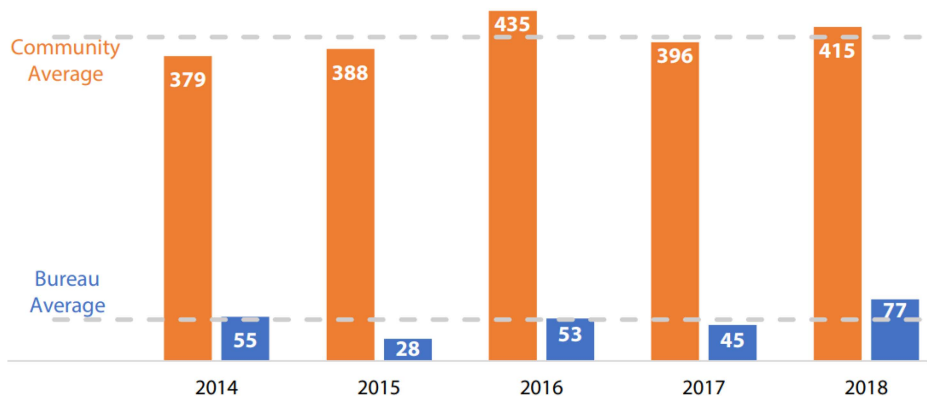
IPR serves as a contact point outside the Police Bureau for community input on law enforcement practices. IPR investigators had 1,663 contacts with community members last year, a median of 136 contacts per month.



### IPR received more misconduct complaints

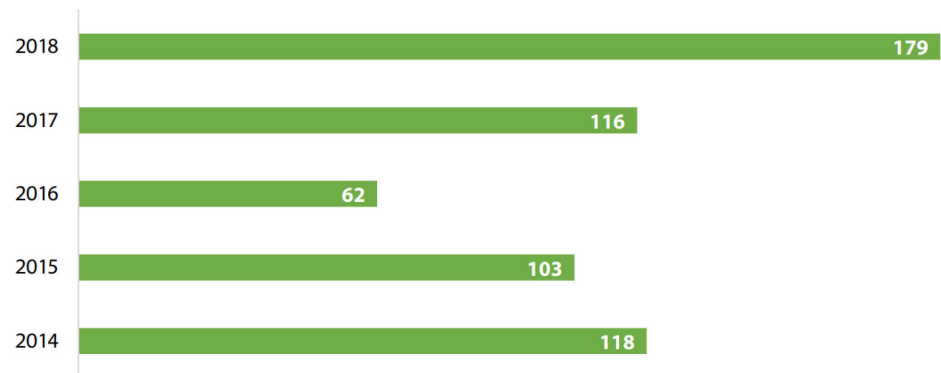
Community members and Police Bureau employees submitted 492 complaints of officer misconduct in 2018. Community members filed 415 complaints, 19 more than 2017. Police Bureau employees filed 77 complaints, 32 more than 2017. Complaints filed by Police Bureau employees increased 71 percent from 2017. This rise is attributed to more complaints out of patrol precincts and smaller divisions that typically see few complaints, such as Records and Training.

### Complaints from community members and Bureau employees were above average in 2018



IPR accepts commendations of officers from community members. In 2018, IPR received 179 commendations from members of the public, an increase over past years. The Police Bureau receives and processes commendations separately from IPR that are not included in these figures.

**Police commendations received by IPR rose in 2018**



**Who submitted complaints?**

IPR collects demographic information from community members who file complaints to track trends and monitor for disparate impacts. In 2018, most community members who disclosed their race reported as white (42 percent). However, a high percentage of complainants decline to provide demographic information each year; slightly less than in 2017, race/ethnicity data is unknown for 35 percent of community members who submitted complaints in 2018. Therefore, the information presented here only represents a portion of the individuals who file complaints and should be interpreted with caution.

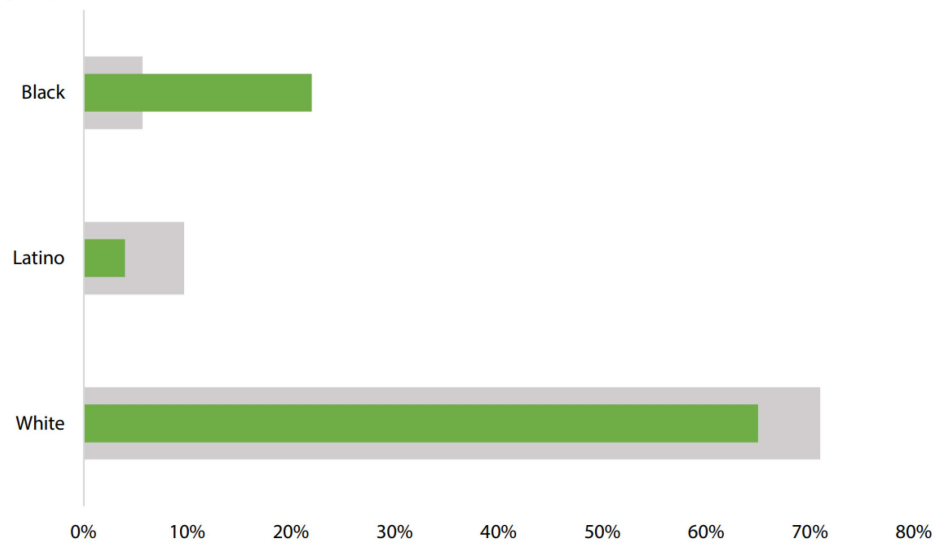
**Thirty-five percent of community member complainants declined to provide their race/ethnicity**



**Black community members are over-represented**

Most community members who filed a complaint of officer misconduct and provided a race or ethnicity identified as white. However, both white and Latino community members filed a smaller percentage of complaints compared to their percentage of the Portland population. Complainants who identified as black were over-represented at a rate around four times that of white complainants compared to the Portland population.

**Black individuals filed a higher percentage of complaints than their proportion of Portland's population**

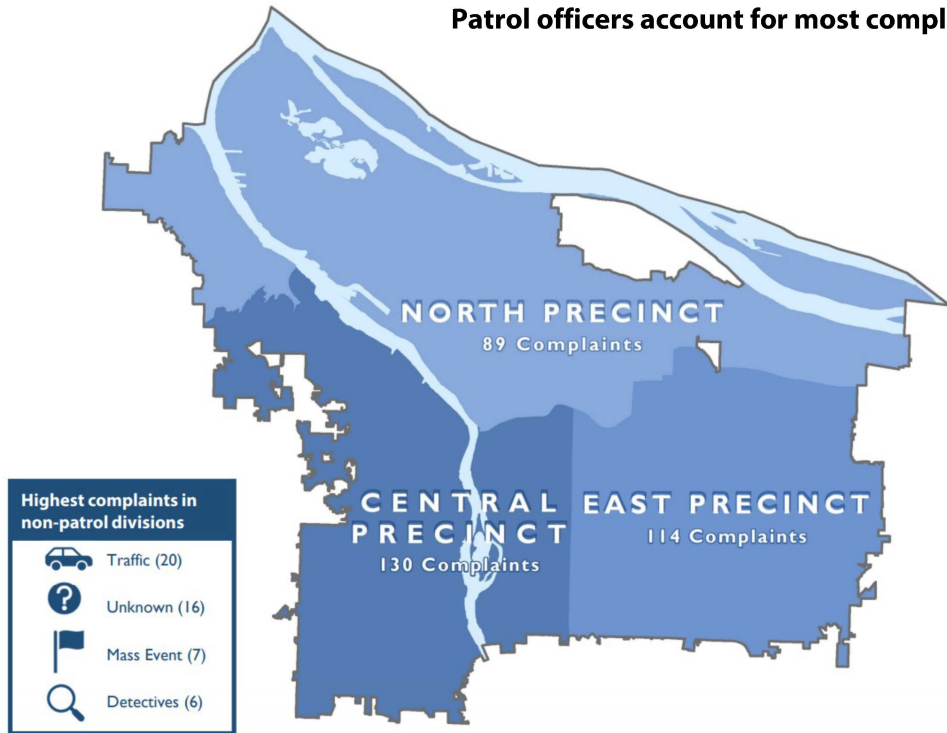


In contrast, Latino individuals are underrepresented in complaints, submitting complaints at less than half the rate of their white counterparts.

## Who were the subjects of the complaints?

Like 2017, 80 percent of community member complaints in 2018 involved officers assigned to patrol precincts. Complaints stemming from mass events that involve responses from multiple precincts, such as protests, decreased from 5 percent in 2017 to 2 percent in 2018.

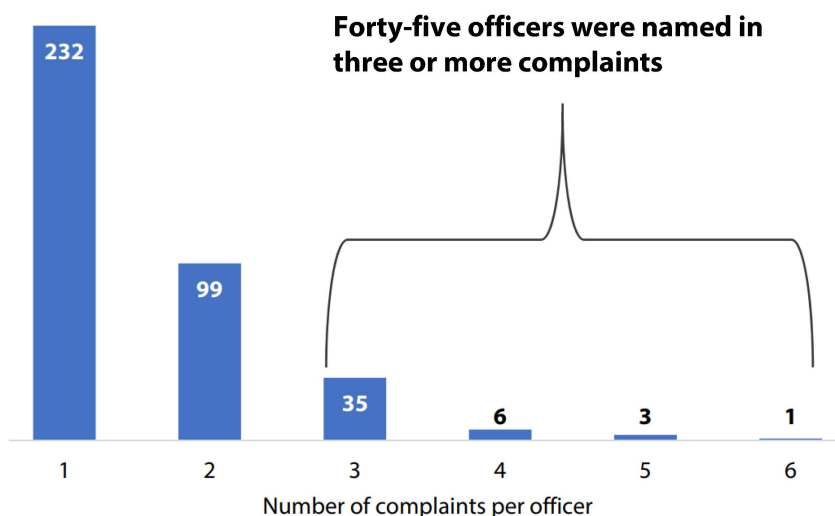
**Patrol officers account for most complaints**



Patrol precincts have many officers on staff and frequently engage with members of the public. In 2018, Central Precinct received the highest number of misconduct complaints and had the highest average complaints per officer, at approximately one each.

Division	Officers	Average Complaints per Officer
Central Precinct	129	1.01
East Precinct	117	0.97
North Precinct	105	0.85
Traffic Precinct	26	0.77

In 2018, Community members submitted complaints about 376 officers, up from 325 in 2017. Over half of those 376 officers were named in one complaint. Forty-five officers were named in three or more complaints, two more than the previous year. Multiple complaints in a short period of time should cause supervisors to intervene with an officer independent of the investigation process.

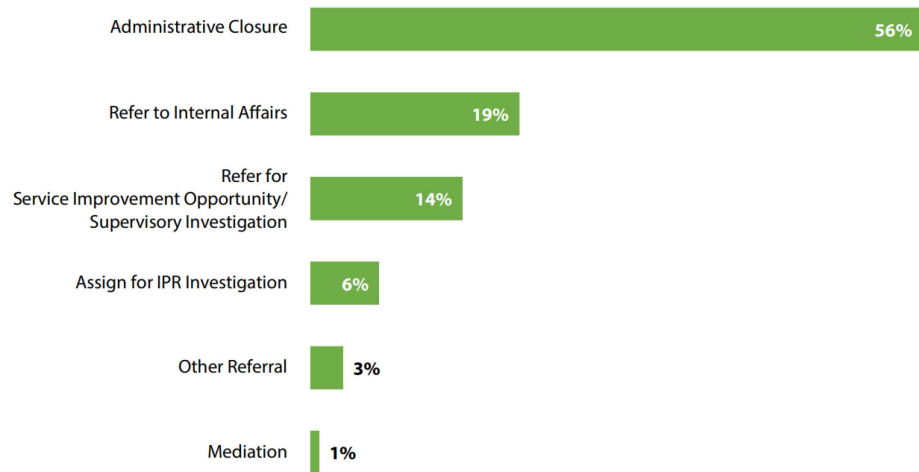


## What did IPR do with the complaints?

When IPR investigators receive a misconduct complaint, they conduct an initial investigation to identify the officer who is the subject of the complaint, understand the nature of the allegation(s), and whether the preliminary information indicates that a policy violation may have occurred. IPR uses this information to decide whether to refer it to Internal Affairs, conduct its own investigation, or administratively close the complaint for lack of information or jurisdiction. Prior to July of 2018, administrative closures were known as “declines” by Internal Affairs or “dismissals” by IPR.

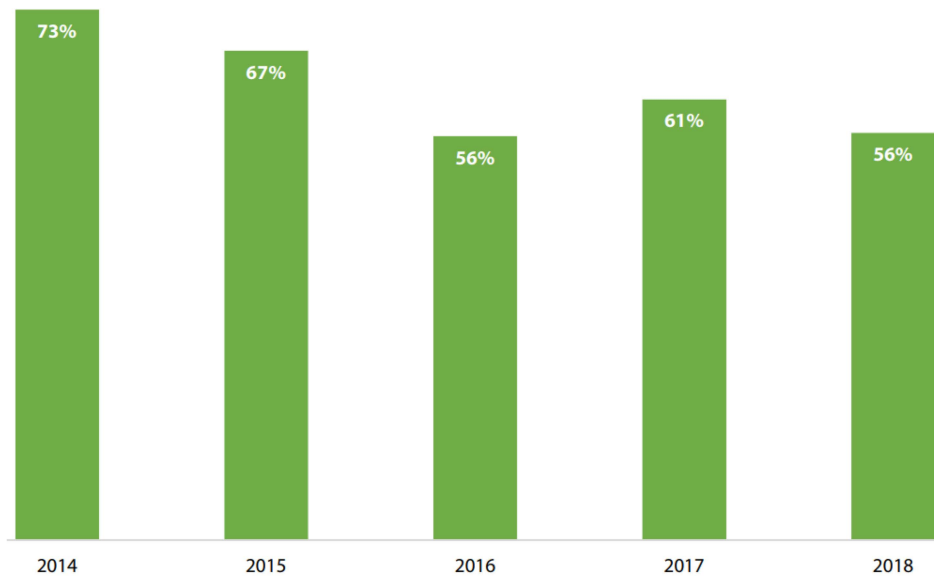
Rates of administrative closures and referrals to Internal Affairs both decreased in 2018 compared to the previous year. In July 2018, IPR established a new route of referral called Supervisory Investigation for complaints of misconduct that, if proven true, would not result in discipline involving days off without pay, such as courtesy and quality of service complaints. Some cases, which used to be administratively closed or referred to Internal Affairs, are now handled via this option.

**Over half of misconduct complaints were closed**



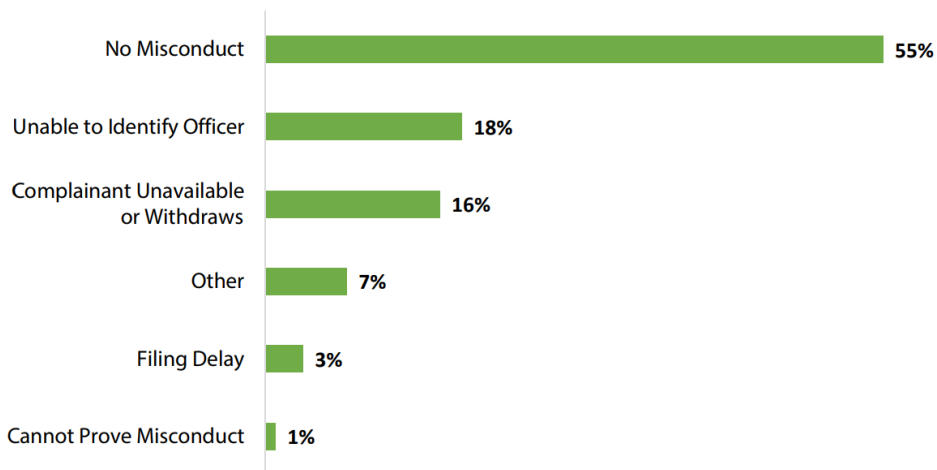
The 56 percent of cases closed by IPR after an intake review in 2018 is tied with the lowest closure rate in the past five years.

**IPR’s administrative closure rate declined in 2018**



When closing a complaint, IPR must indicate the reason. Most complaints in 2018 were closed because the allegations, even if proven true, would not violate Police Bureau policy.

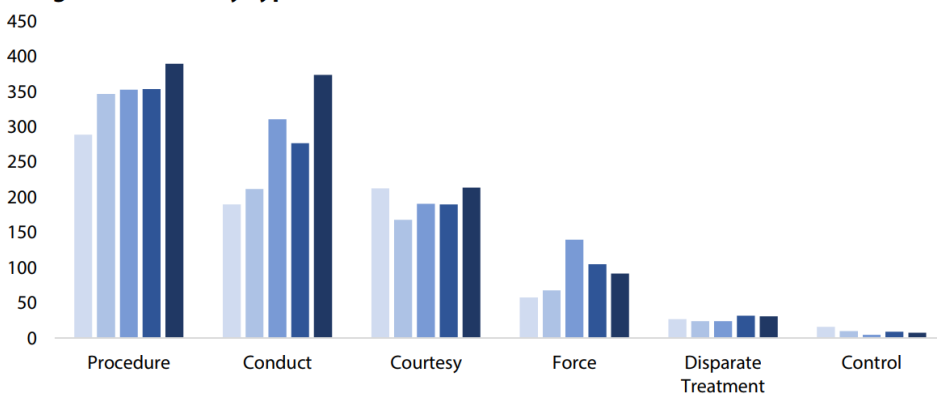
**No misconduct was IPR's most common reason to administratively close a case in 2018**



**What were the complaints about?**

In 2018, the 415 complaints from community members included a total of 1,109 allegations for an average of 2.7 allegations per complaint. Allegations are categorized by type and the specific policy violated.

**Allegation trends by type 2014—2018**



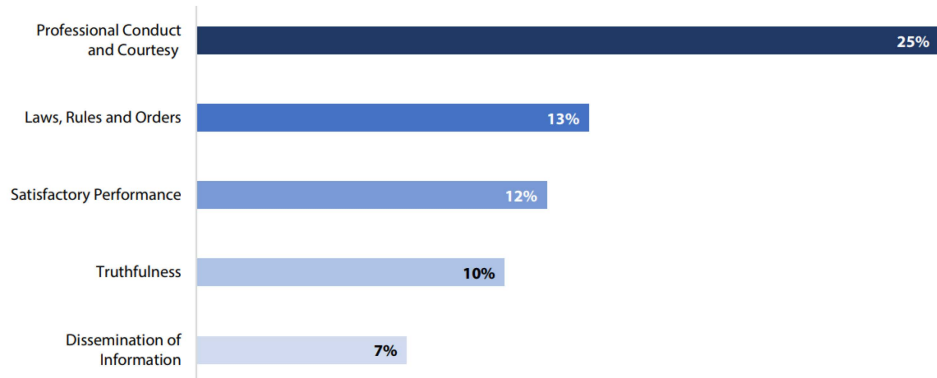
<b>Procedure</b> Failure to follow an administrative or procedural requirement	<b>Conduct</b> Unjustified, unprofessional, or inappropriate actions, or unsatisfactory performance	<b>Courtesy</b> Discourteous or rude statements or conduct
<b>Force</b> Inappropriate use of physical force or pointing a firearm at a person	<b>Disparate Treatment</b> Inappropriate action or statement based on a characteristic of a person such as race, sex, age, or disability	<b>Control</b> Inappropriate use of a hold or other technique to control a person's movement

Allegations of Procedure, Conduct, and Courtesy violations increased in 2018. The most common specific allegations were:

Top Specific Allegations	
Inadequate Action/Assistance	15%
Unprofessional Conduct	9%
Rude Behavior or Language	8%
Inadequate/Improper Investigation	6%
Unjustified/Improper Arrest/Citation	5%

Allegations filed by Police Bureau employees can differ from community member allegations:

**The most common allegations filed by Police Bureau employees were about Professional Conduct and Courtesy**



**IPR conducted complex independent investigations**

Complaints alleging certain types of misconduct, such as disparate treatment or police response to protests, are prioritized for independent investigation by IPR rather than referral to Internal Affairs. IPR also independently investigates cases where it is best suited to investigate the complaint because it is outside the Police Bureau command structure. IPR initiated 25 independent investigations in 2018, five more than 2017.

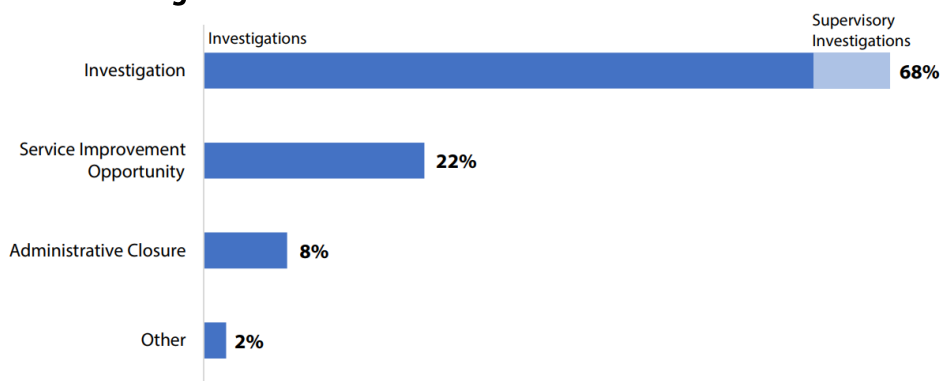
IPR Investigations in 2018	
Disparate Treatment	9
Captain or Above	7
Police Response to Protests	4
Director Discretion	2
Force	1
Direct Request from Mayor's Office	1
Retaliation	1



## What happened to cases referred to Internal Affairs?

Of the 351 community member complaints received by IPR in 2018, 20 percent (69) were referred to Internal Affairs for review. Internal Affairs also received 64 complaints directly from community members. In 2018, 68 percent of the 133 community member complaints that were referred to Internal Affairs were investigated (90) and 22 percent (29) resulted in a service improvement opportunity. The rest were closed (11) or resolved through other means (3). The most common reason Internal Affairs closed a complaint was that, even if proven true, the allegations would not indicate a policy violation.

### More than half of community complaints referred to Internal Affairs were investigated



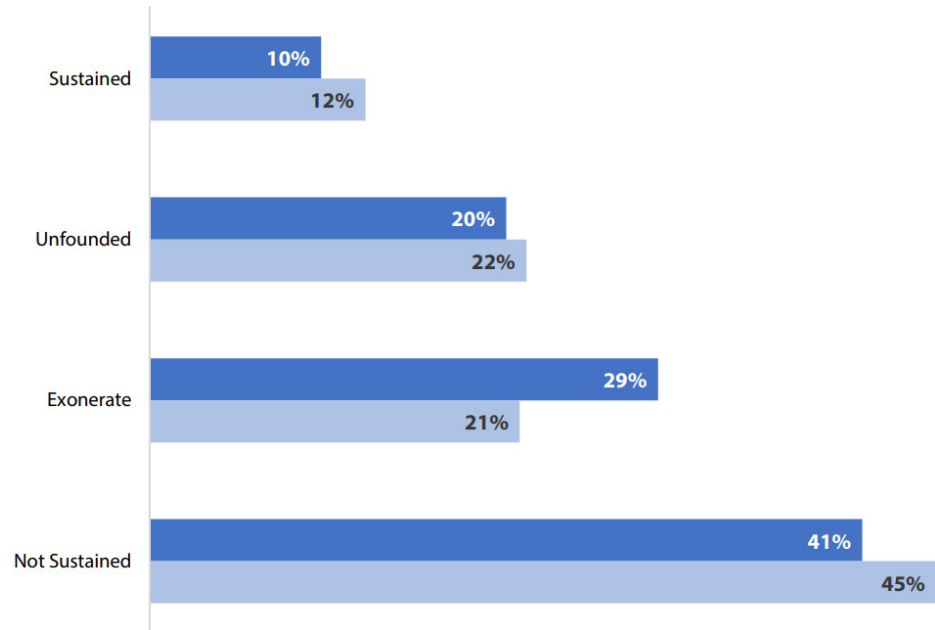
After an investigation is complete, a Police Bureau supervisor can reach one of four conclusions when considering whether the evidence supports an allegation. They can:

- **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; or
- Find the allegation to be **unfounded** because it was false or without a credible basis as a possible violation.

**Most community complaints were not sustained**

IPR and Internal Affairs completed 110 investigations into community member complaints in 2018, 16 more than 2017. Those investigations contained 368 allegations, 10 percent of which were sustained (36). This is a lower rate of sustained allegations than 2017.

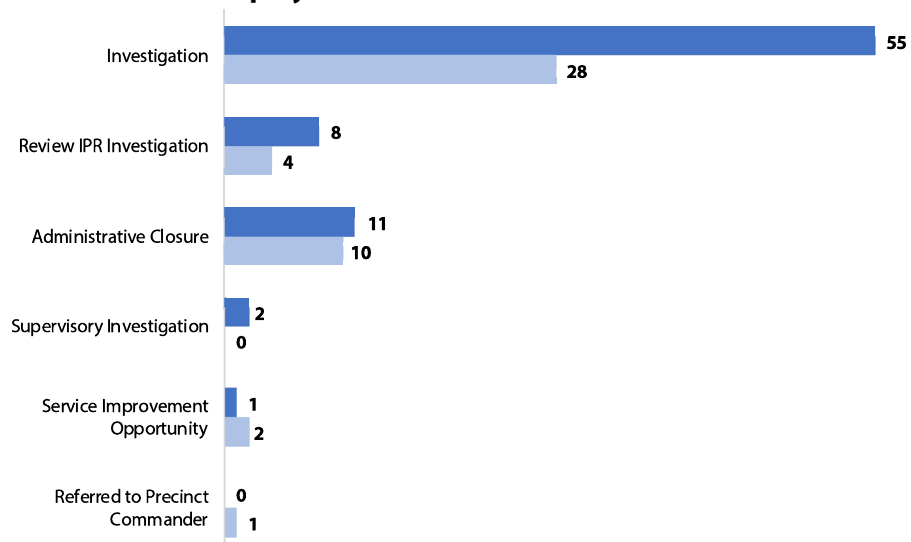
**Police supervisors sustained fewer allegations from community members in 2018 than 2017**



**Most Bureau employee complaints are investigated and result in sustained allegations**

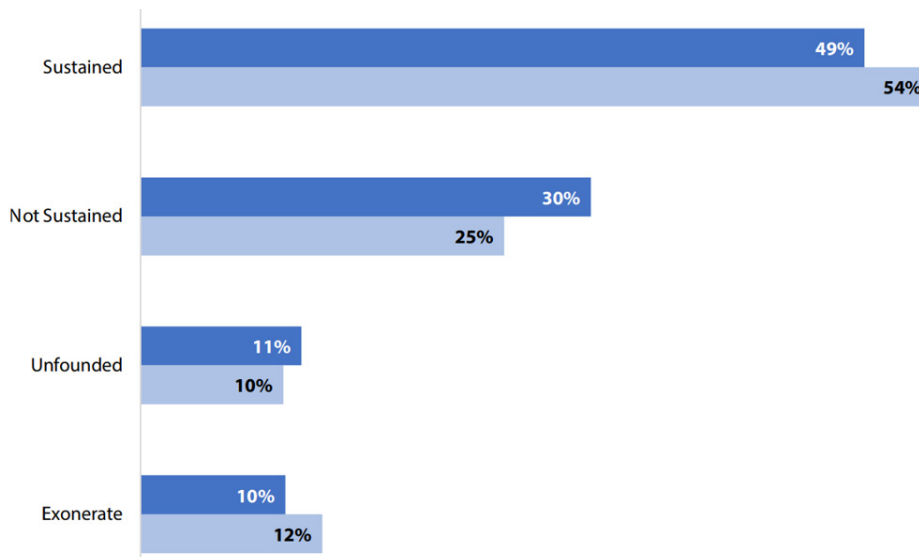
Police Bureau employees filed 77 complaints in 2018, most of which were investigated (65). Internal Affairs investigated 55, and IPR investigated eight, and two were investigated by supervisors.

**Internal Affairs investigated twice as many complaints from Police Bureau employees in 2018 than 2017**



Investigations can start in one calendar year and be completed in another. IPR and Internal Affairs completed 33 investigations into complaints filed by Police Bureau employees in 2018, seven less than the 40 investigations completed in 2017. They contained 92 allegations, 49 percent of which were sustained (45).

**Police supervisors sustained fewer allegations filed by Police Bureau employees in 2018 than 2017**



**What happened to appealed cases?**

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 to determine if the investigation was thorough and whether the police supervisor’s findings were reasonable based on the evidence. The Committee does not have jurisdiction over complaints filed by Police Bureau members, officer-involved shootings, or deaths of people while in police custody.

The Committee heard five appeals in 2018. It affirmed all findings in two cases, challenged all findings in one case, and challenged some and affirmed others in another. The Committee sent another case back for more investigation and eventually affirmed the findings but added a debriefing to one of the appealed allegations. The outcome of one case was still pending a City Council hearing. Committee decisions are forwarded to the Police Chief to consider in subsequent decisions related to the allegations.

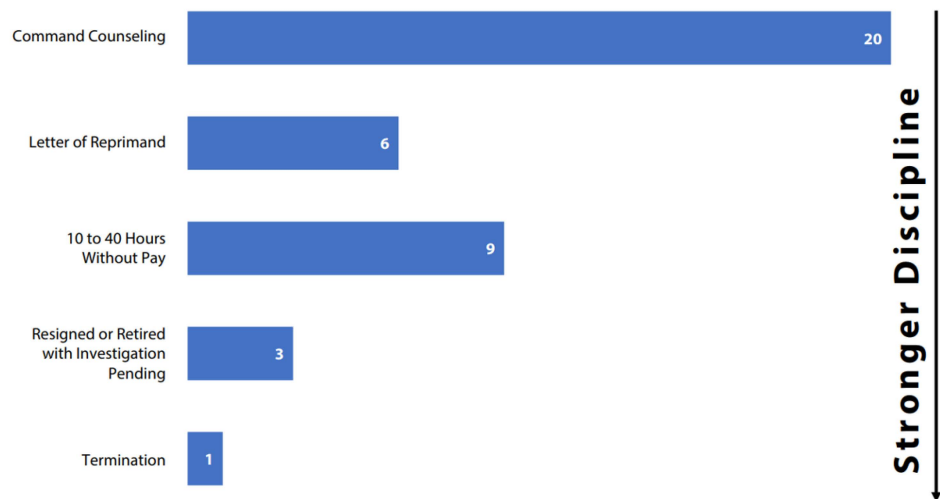
In 2018, the Committee also completed a workgroup review of the use of deadly force by the Bureau. The Police Chief accepted the recommendations made in the [report](http://www.portlandoregon.gov/ipr/CRCworkgroup2018) (www.portlandoregon.gov/ipr/CRCworkgroup2018).

## How were officers disciplined?

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 or retire while an allegation of misconduct is being investigated.

Thirty-nine officers were disciplined in 2018. The most common outcome was command counseling, with just over half of disciplined officers receiving it. Allegations were sustained against three officers who left the Bureau while under investigation. One officer was terminated for misconduct. Allegations reported by both community members and Bureau employees led to discipline with Bureau cases often leading to more serious discipline. Most officers were disciplined for sustained findings of unprofessional conduct or procedural violations.

### Thirty-nine officers were disciplined in 2018





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