

2019 Annual Report



P O R T L A N D
CITY AUDITOR

Independent
Police Review



NEW YEAR, NEW LOOK

The Independent Police Review's annual report looks a little different this year. It has some data about the 2019 complaints but will also tell you about things that IPR plans to address in 2020. Taking and investigating complaints is an important part of what we do, but we also want to share some things that we don't report as often.

ONLINE DATA



Complaints Dashboard

- Total complaints by year
- Zip codes of where complaints come from
- Complaint handling decisions
- Demographics of community members

Allegations Dashboard

- Total allegations by year
- Types of allegations
- Demographics of community members
- Outcomes of investigations

Officer-Involved Shootings and In-Custody Deaths

- Locations and outcomes of deadly force incidents
- Demographics of involved community members
- Investigation findings into deadly force incidents

Annual reports from previous years focused on snapshots of data that we now update more often and present through [online dashboards](#). All the dashboards let you customize what kind of information you want to see instead of us interpreting it for you. You also can use the links on the last page of the dashboards to download the underlying data. There are instructions on the dashboard, and you can contact ipr.data@portlandoregon.gov if you need help.

In addition to investigations, IPR also reviews Portland Police Bureau policies and makes recommendations for improvement. In 2019, we reviewed the Bureau's [response to homelessness](#), and our report and a supplemental dashboard with arrest data are on the [IPR website](#) along with past policy reviews. Two policy reviews started in 2019 will be published this year and focus on the Transit Division and the Bureau's interaction with non-English-speaking community members.

Highlights from our outreach work in 2019 focused on recruiting community volunteers to serve on the Police Review Board and Citizen Review Committee. We also conducted listening sessions with people experiencing homelessness.

Learn more in our report:



Year in numbers



Outcomes



Strategic Plan



Making progress

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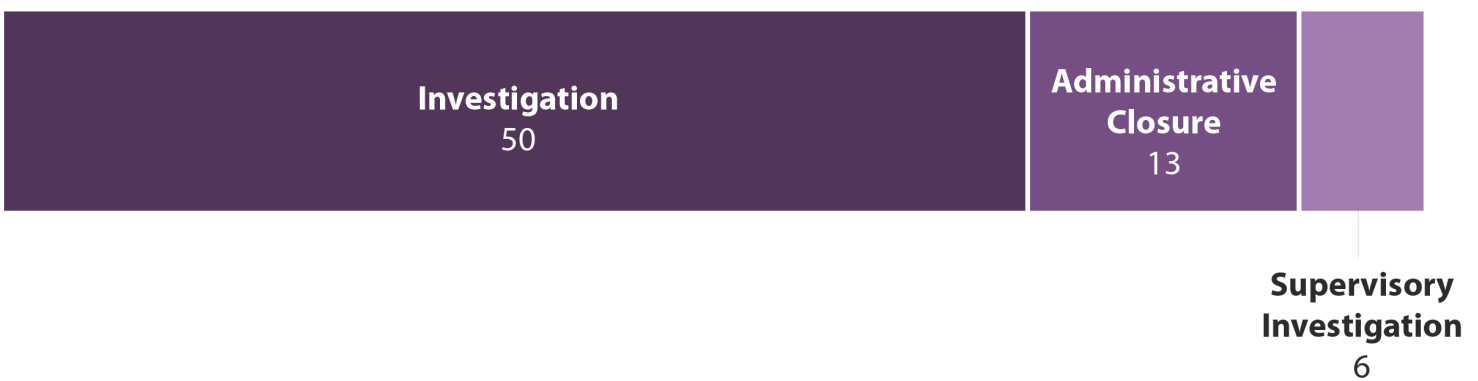
YEAR IN NUMBERS

Most complaints are either closed after initial evidence gathering or investigated to develop conclusions about whether misconduct occurred. There are a few paths for complaint resolution if a full investigation isn't warranted. One option is a **Precinct Referral**, where a complaint that doesn't involve misconduct is forwarded to a precinct commander to be aware of and possibly follow-up with the complainants to discuss their concerns. Another option is a **Supervisory Investigation**. City Council created this process in 2018 for complaints that would not involve discipline but where the officer could benefit from coaching and the community member wants an explanation from the Bureau. These cases typically involve allegations of discourteous conduct or procedure violations.

Independent Police Review and the Bureau's Internal Affairs received 408 complaints from community members in 2019. Thirty-eight percent of the cases were closed after an initial review of the evidence, mostly because the conduct described did not amount to misconduct. The graphic shows how the complaints proceeded through the system.



Police members initiated an additional 69 complaints in 2019. Fifty of those cases were investigated. The remainder were closed after an initial review of the evidence.



Between 77 and 93 percent of community member complaints were closed between 2012 and 2017 after initial review of the evidence. The introduction of Supervisory Investigations in 2018 increased the percentage of cases that were investigated and reduced closures after an intake review to about 60 percent in 2018 and 2019.

CITIZEN REVIEW COMMITTEE



The Citizen Review Committee heard four appeals in 2019. It agreed with all commanders' findings in three cases. In another, it agreed with one finding and challenged another as not reasonable based on the evidence. Disagreement on one case between the Committee and the Chief led to an appeal to City Council.

The Committee's five workgroups met infrequently in 2019. IPR is looking forward to seeing more recommendations out of these workgroups in 2020.

Learn more in our report:

- [New year, new look](#)
- [Outcomes](#)
- [Strategic Plan](#)
- [Making progress](#)

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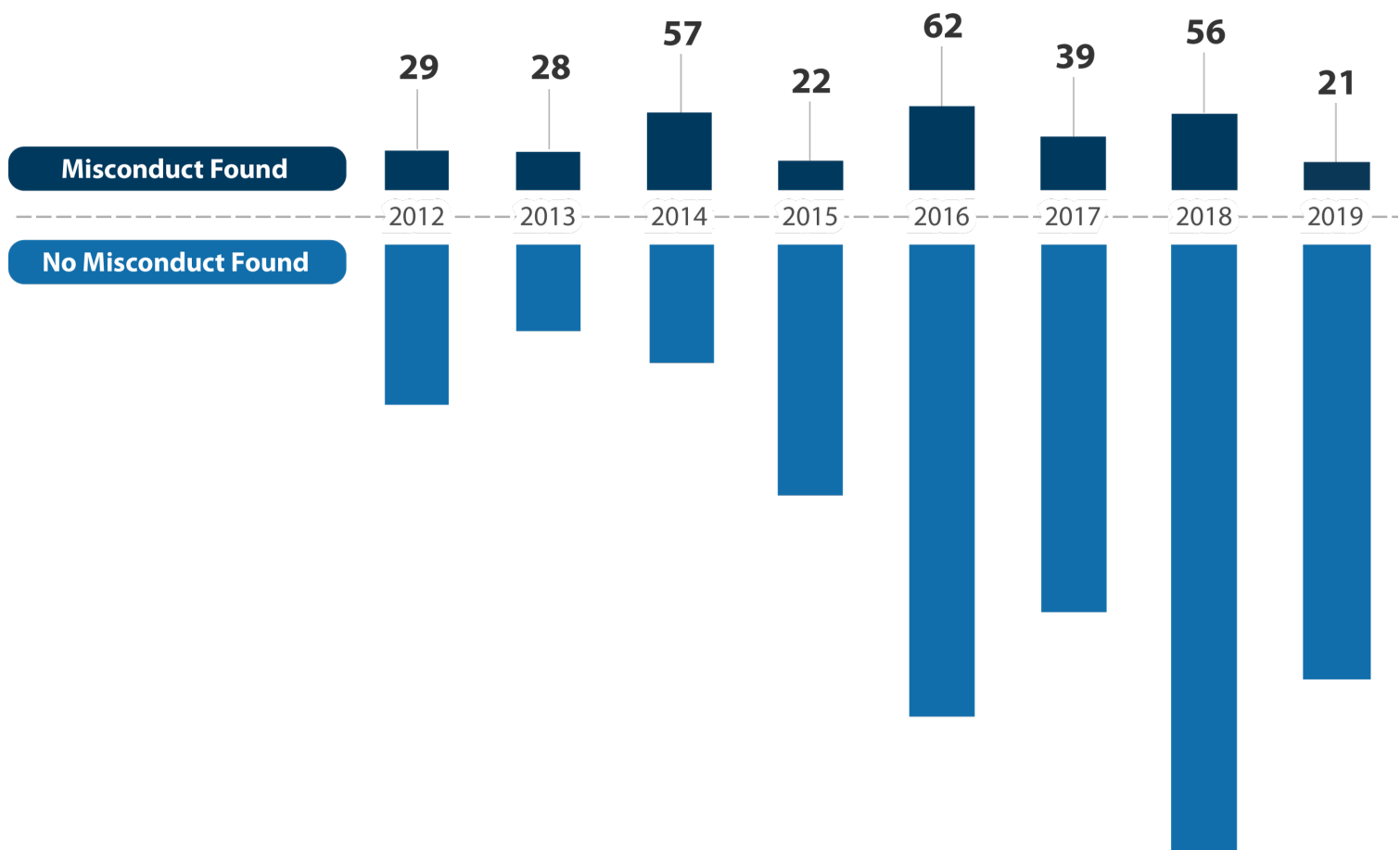
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OUTCOMES

The increase in the number of complaints investigated resulted in fewer misconduct allegations upheld. There could be many reasons for the inverse relationship. In 2013, for example, there were fewer total allegations, while in other years there was more protest activity and incidents involving multiple officers. These mass events led to more allegations but fewer of them were supported by the evidence.

Outcomes of investigated allegations 2012 - 2019



OFFICER DISCIPLINE



There is a range of discipline available when an investigation determines an officer engaged in misconduct. The lowest option is command counseling and the highest is termination of employment. When the possible discipline is higher than command counseling or people in the investigation process disagree about the findings, the case is heard by the Police Review Board. The Board then recommends discipline to the Chief and the Police Commissioner, who make the final decision.

There were 32 cases of a sustained policy violation in 2019 where the Board recommended discipline and the Police Chief made a final decision. Most officers received Command Counseling (13) or a Letter of Reprimand (9). Six officers received one to two-day suspensions without pay, three received more than one week without pay, and one officer was demoted. Five additional officers resigned or retired pending a final decision on discipline.

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STRATEGIC PLAN

IPR created a [Five-Year Strategic Plan](#) in 2017 informed by community input to guide the office through the end of 2021. The three main areas of focus are:

-  Developing further autonomy from the Police Bureau to maintain independence and promote accountability;
-  Creating clear criteria for IPR action to promote transparency in decision-making; and
-  Clearly communicating IPR processes and action to promote community engagement.

IPR'S STRATEGIC GOALS AND ACTIONS

In the past four years, IPR took the following steps toward a vision for Portland where equitable enforcement and trust in police leads to a safer community.

More Autonomy from the Police Bureau

Direct, unfettered access to all Bureau records and data

Status: In process

We have access to officer photos and are working toward direct access to other systems and datasets.

Directly compel officers

Status: In process as amended

By law, only the Police Commissioner or Chief can compel officers to testify. IPR is moving toward scheduling and interviewing officers independently of Internal Affairs, which achieves this strategic goal within the legal constraint. It also will take a change to City Code, which currently requires Internal Affairs' attendance during IPR interviews.

Track implementation of policy recommendations

Status: In progress

IPR is creating a dashboard that will track recommendations, the response from the Bureau, and the implementation status of recommendations.

Authority to write findings

Status: Completed

City Code authorized IPR and Internal Affairs' investigators to recommend findings when they finish an investigation.

Evaluate Bureau hiring and promotion processes

Status: Completed

IPR reviewed the [Bureau's hiring process in 2018](#) and is monitoring implementation of our recommendations.

Clear and Transparent Criteria for IPR Action

Prioritize investigations that result in findings

Status: Completed

IPR and Internal Affairs identified categories of complaints that each would take the lead in investigating. IPR investigates complaints related to biased policing, vulnerable populations, street protests, and those involving high-ranking command staff. IPR also investigates allegations of biased policing.

Scope and track investigations

Status: In process

IPR documented investigation tasks in our most recent office procedures guide. We also reorganized the structure and created an Investigations Coordinator to manage workload and track timeliness of cases and outcomes.

Collect and track community concerns, including actions within policy

Status: Completed

A recently upgraded case management system helps IPR track complaints that were not policy violations but reflect issues of community concern, such as use of force and disparate treatment of members of some demographic groups.

Increase ability to assist with community requests

Status: Completed

IPR tries to help community members resolve complaints when an investigation isn't warranted or wanted by the complainant. One method is a Precinct Referral, where a Bureau supervisor may contact the community member to discuss an officer's decision-making process or policing practices.

Communication about IPR Process and Action

Videos and written answers to common questions

Status: In process

IPR is working on different outreach strategies to familiarize the public with the complaint process, including instructional videos and presentations to community groups.

Develop routes for direct referrals to other jurisdictions

Status: In process

IPR is creating a resource guide for investigators to use when a community member contacts us about an officer who works for an agency other than the City of Portland.

Summarize process

Status: Completed

IPR created a dashboard that shows case examples and the different paths a case can take.

Develop education materials about Police policies and practices

Status: Referred to Police Bureau

IPR decided it was most appropriate for the Bureau to explain its actions and policies. IPR facilitates communication between community members and the Bureau and will review the Bureau's overall communication strategies in 2020.

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ACHIEVEMENT MAKES ROOM FOR PROGRESS

IPR made many changes to comply with the [Settlement Agreement](#) the City entered into with the U.S. Department of Justice in 2012. The agreement obligated the Police Bureau and IPR to complete the police accountability process within 180 days. The Justice Department found that the City was in substantial compliance with all sections of the agreement and will monitor the City until January 2021 to ensure consistent performance.

IPR achieved substantial compliance for its part of the accountability process with tighter oversight of case timeliness in 2019 and better approaches to manage caseloads. IPR will continue to monitor case timelines and find more ways to streamline the investigative process.

The community has expectations for the accountability system beyond the scope of the settlement agreement. To meet those expectations, IPR will continue work to complete goals in its strategic plan, especially those that protect our independence and make the process more efficient, effective, and equitable, such as:



ANALYZE ALLEGATIONS OF DISPARATE TREATMENT

Individual allegations of disparate treatment are often difficult to prove, because there may not be witnesses to the interaction and evidence of an officer's intent can be elusive. That doesn't mean that harm has not been done to community trust even when an officer's conduct is found to be within Bureau policy. In 2020, IPR will analyze trends of disparate treatment allegations and outcomes. IPR hopes to improve police interactions with community members even when the disciplinary process is not a realistic option given the challenge involved in determining an officer's intent.



PROMOTE MEDIATION

Community members often contact IPR about interactions with officers that don't involve misconduct but contribute to mistrust. IPR provides mediation for such instances to resolve issues and improve communication. Mediation is an opportunity for a community member to sit down with the officer and a professional mediator to discuss their perspectives on the encounter.



MAKE MORE INVESTIGATIVE INFORMATION AVAILABLE TO THE PUBLIC

State law provides public safety employees greater privacy protections than other government employees in employment matters. Lack of information about the outcomes of police misconduct investigations is a source of frustration in the community. IPR is developing avenues to share more information on its website about investigations in 2020 while being mindful of privacy protections afforded to officers.



IMPROVE ACCESS TO BUREAU SYSTEMS AND DATA

IPR has been working to overcome structural barriers to directly access the Police Bureau records and data it needs for investigations and policy reviews. While some headway has been made, more progress is needed in 2020. Direct access will negate the need to submit requests to the Bureau and wait for them to be filled. This will improve timeliness, reduce the workload on the Bureau, and expand the independence of IPR's investigations.



EXAMINE EQUITY

About one-third of community members don't report their race when they submit a complaint. That information is critical for IPR to understand which groups it serves and which groups it needs to reach. IPR plans to improve data collection and outreach to guide our community engagement [strategies](#).

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