

Independent Police Review

Annual Report 2021

June 2022



P O R T L A N D
C I T Y A U D I T O R

**Independent
Police Review**



Annual Report 2021

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Highlights from 2021

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 officer misconduct submitted by community members or Police Bureau employees.

Substantially fewer complaints filed

IPR received a little more than half the average yearly number of complaints about officer misconduct in 2021. Complaints submitted by community members fell by 43 percent and complaints from Bureau members were down 48 percent compared to 2020.

2021 AT A GLANCE



193 Misconduct complaints from community members



34 Misconduct complaints from Bureau members



5 New investigations conducted by IPR

IPR worked to regain compliance with settlement agreement

The City entered into a settlement agreement with the U.S. Department of Justice in 2014. Part of the agreement requires the Police Bureau and IPR to complete the investigative process in 180 days from the date a complaint is filed until the Chief decides if discipline will be imposed.

View the Settlement Agreement:

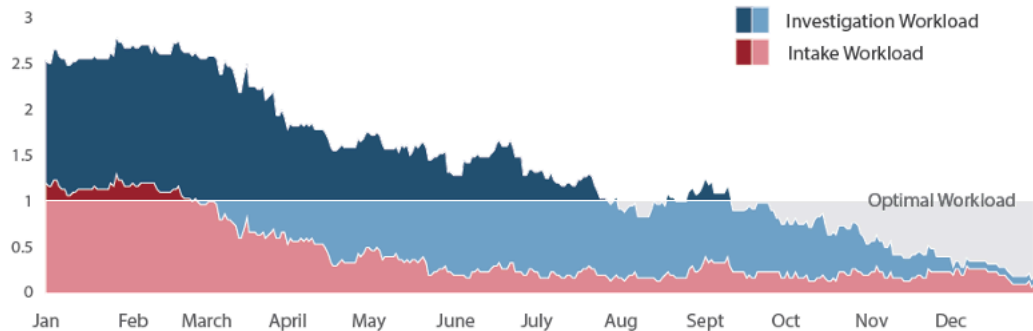
<https://www.portlandoregon.gov/police/article/506328>

The City achieved substantial compliance with this provision in January 2020. The surge of complaints related to the police response to protests in 2020 overwhelmed the accountability system and strained investigation timelines. The monitoring team that evaluates the City's compliance with the settlement agreement deemed the City out of compliance in November of 2020. Many of the protest-related complaints received in 2020 were closed throughout 2021.

View evaluations of the City's compliance with the Settlement Agreement:
<https://www.portlandcocl.com/reports>

Workload returned to a manageable level after exceeding capacity in July 2020. Investigators began the year carrying an average of 5.8 intakes and 2.9 investigations per person, about 2.5 times the total optimal workload per investigator. Workload fell in August 2021 and mostly remained below capacity.

Investigator workload returned to manageable levels

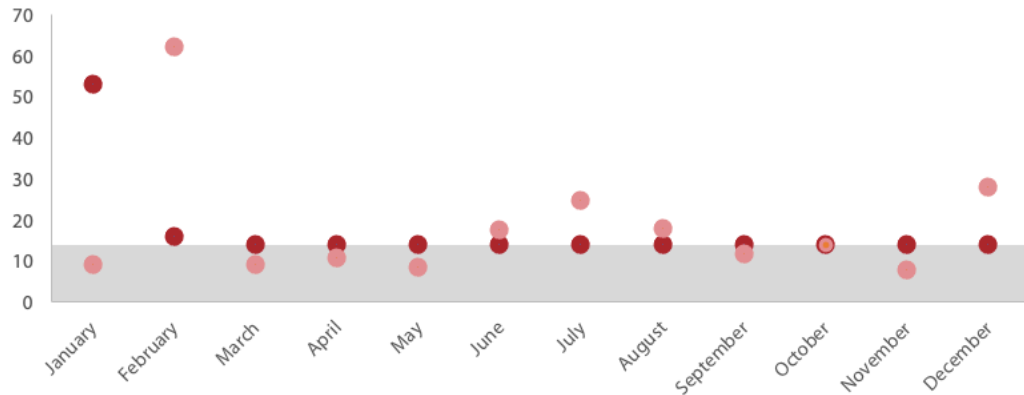


IPR opened six investigations in 2021. Four of those cases eventually exceeded 180 days. One was completed in less than 180 days and the sixth case remains open and within the 180-day timeline.

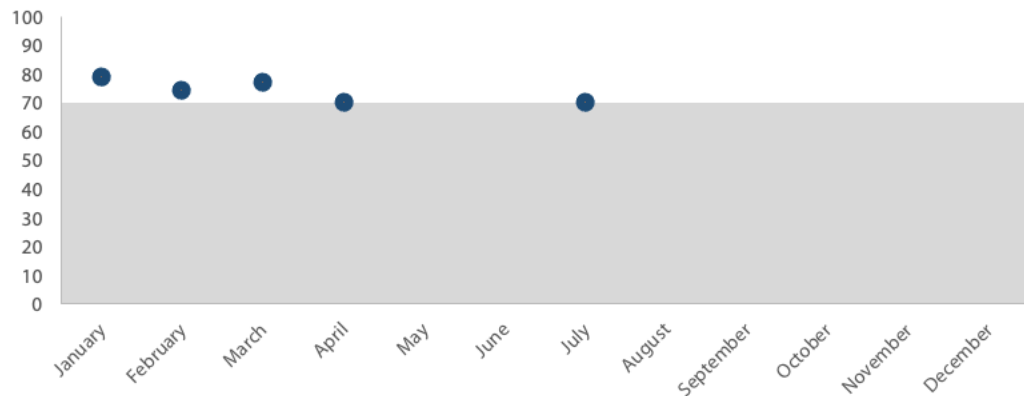
There are interim goals within the overall 180 days to help investigations stay on track. IPR is responsible for the initial complaint review and evidence gathering, which is known as intake. The goal for intake to be completed is 14 days unless more time is needed for an “expanded intake,” which provides an additional 14 days. Some cases proceed to a full investigation, which is expected to be completed within 70 days.

Overall, IPR met its intake and expanded intake targets in 2021 but exceeded its investigative goal. The median number of days it took to complete an intake in 2021 was 14 days. Expanded intakes were completed with a median of 13 days. The median number of days to complete a full investigation stage was 74.

Median days taken to complete *intakes* and *expanded intakes* mostly met 14-day goals



Three investigations exceeded the 70-day goal



IPR policy and data resources shine light on Bureau

Community members often contact IPR about frustrations with the Bureau that do not amount to official misconduct. Their perspectives help IPR identify opportunities for policy research that leads to recommendations for systemic improvement.

We published one policy review in 2021:

Equitable and consistent language services

A review of Bureau policy showed it did not provide officers with enough guidance about when to use non-English language resources and which were most helpful for communicating in a given interaction with a community member. We recommended that the Bureau revise its directive related to language access services and include guidance on which resources to use in particular situations.

View our online report:

<https://www.portland.gov/ipr/news/2021/2/11/portland-police-needs-ensure-language-services-are-equitable-and-consistent>

IPR also maintains public dashboards that are updated quarterly.

Explore available dashboards:

<https://www.portland.gov/ipr/ipr-data>

How does the police accountability system work?

The accountability system is comprised of people inside and outside the Police Bureau who take complaints and gather evidence, offer perspectives on whether work rules were violated, and recommend levels of discipline to the Police Chief and Police Commissioner, who make the final decisions. If decisions are appealed, an arbitrator can weigh in to uphold or overturn their decisions.

System has numerous roles, responsibilities

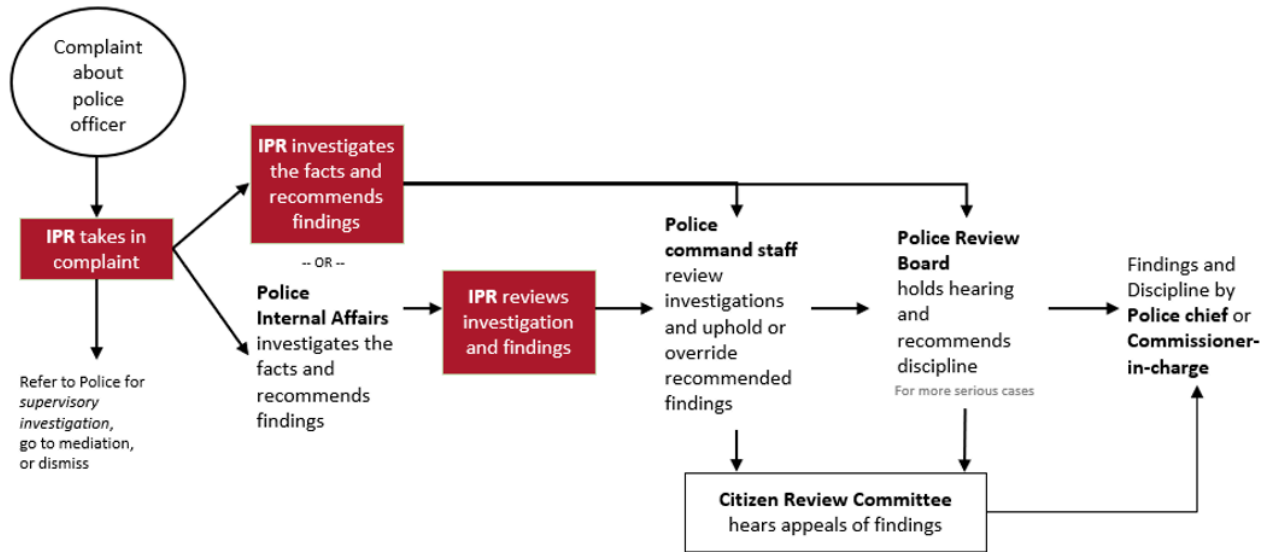
Independent Police Review is a division of the City Auditor’s Office and is staffed by civilians. Internal Affairs is a unit of the Police Bureau and is staffed by both sworn officers and civilians. IPR receives and investigates complaints, makes recommendations on whether violations occurred, and monitors all cases investigated by Internal Affairs, including officer-involved shootings.

Task	Auditor	Portland Police Bureau					Arbitrator
	Independent Police Review	Internal Affairs	Commanders	Police Review Board	Chief	Commissioner (Mayor)	
Receives complaints	●	●					
Assigns/Closes complaints	●						
Investigates complaints	●	●					
Recommends whether violation occurred	●	●	●	●			
Decides if violation occurred					●	●	●
Recommends discipline			●	●	●		
Decides discipline					●	●	●
Monitors process	●						

IPR investigators engage people who want to file a complaint about an officer to understand the circumstances and evaluate evidence collected during the initial intake process. An IPR manager then decides what happens with the case depending on the available evidence. Cases can be closed, retained for further investigation by IPR or Internal Affairs, or referred to the officer’s supervisor for follow-up and action. Complaints that do not qualify as misconduct can be referred for voluntary mediation or to a precinct commander to follow-up with the complainant.

Complaints that may be substantiated and have the potential to result in discipline of unpaid leave are heard by the Police Review Board, which is an internal advisory body to the Chief. It is made up of command staff and officers, an IPR manager, and community volunteers. All officer-involved shootings or in-custody deaths go before the Police Review Board.

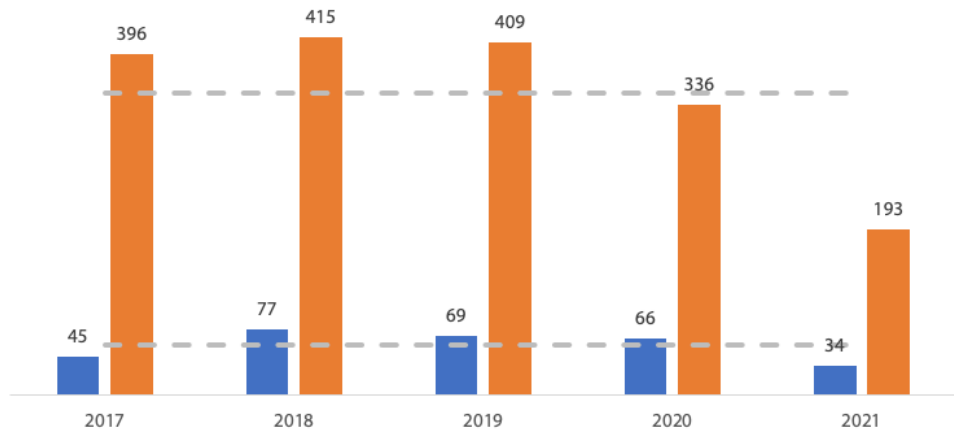
Members of the Police Review Board vote on what findings and discipline to recommend to the Chief of Police. The Chief considers the recommendations and makes a final determination, sometimes in consultation with the Police Commissioner, about whether to sustain an allegation and what discipline to impose.



What complaints were made in 2021?

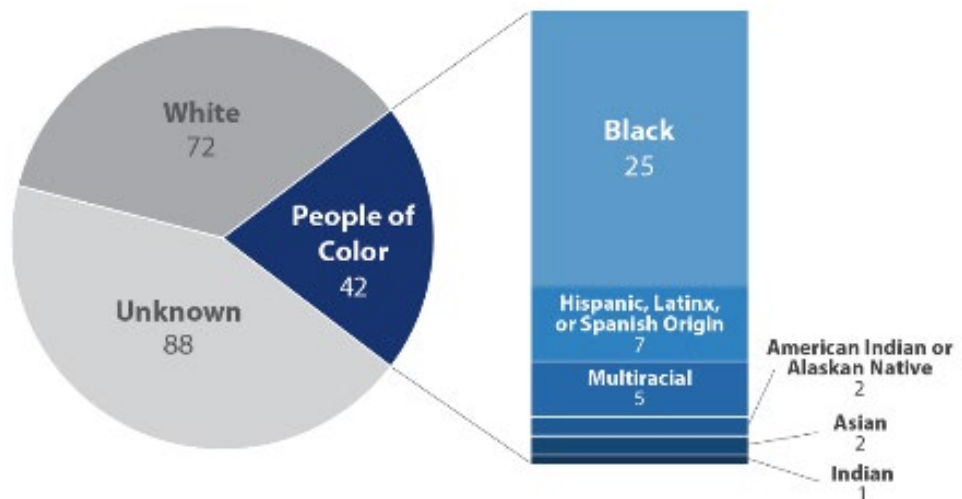
Community members submit complaints to IPR online, through the mail, or over the phone. IPR received 193 complaints from community members in 2021, well below the five-year average. Complaints filed by Police Bureau members and non-sworn employees also decreased in 2021. IPR received 34 such complaints, about half the number received in 2020 and well below the five-year average.

Complaints from community members and Bureau employees were below average in 2021



Who submitted complaints?

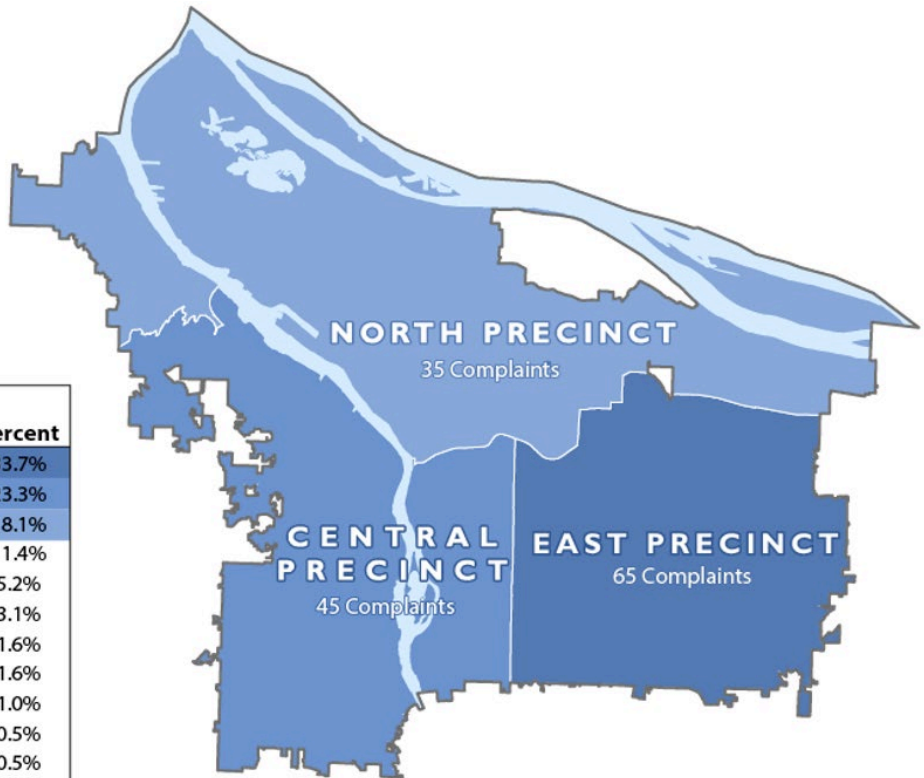
Complaints can involve multiple complainants and multiple officers. There were 202 complainants involved in the 193 complaints filed by community members. People submitting complaints have the option to provide demographic information about themselves. Forty-five percent of community members declined to provide information on their race or ethnicity in 2021. Of the 114 community members who reported their race, 37 percent identified as a person of color (42).



Who were the subjects of the complaints?

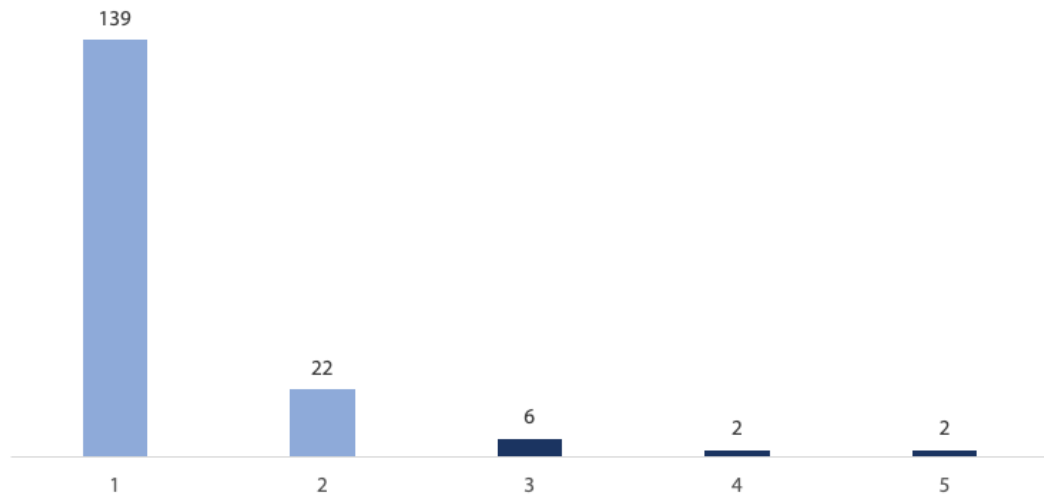
Officers assigned to Portland’s three patrol precincts were the subjects of 75 percent of complaints submitted by community members in 2021. East Precinct officers received 65 complaints, Central Precinct officers received 45 complaints, and North Precinct officers received 35. The number of complaints stemming from large public events, such as street protests involving officers from all precincts and multiple agencies, decreased from 24 percent in 2020 to 5 percent in 2021.

Precinct or Unit	Count	Percent
East	65	33.7%
Central	45	23.3%
North	35	18.1%
Unknown	22	11.4%
Multiple Precincts	10	5.2%
TOD	6	3.1%
Detectives	3	1.6%
Training	3	1.6%
BHU	2	1.0%
TOD: NOC	1	0.5%
Transit	1	0.5%



Community members submitted complaints about 171 officers in 2021. Eighty-one percent of those officers were the subject of one complaint. Ten officers were named in three or more complaints. Officers receiving multiple complaints decreased from previous years when those with three or more complaints made up about 11 percent of total officers named.

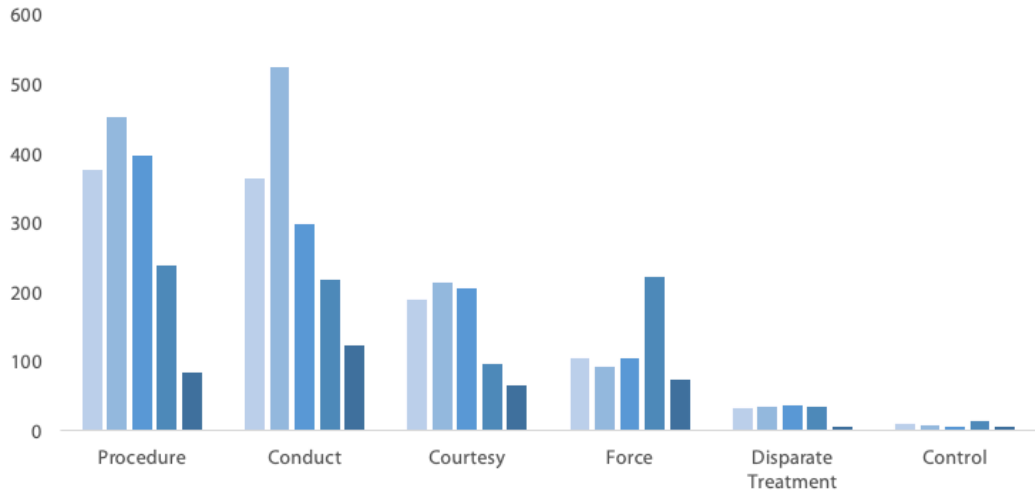
10 officers were named in three or more complaints in 2021



What were the complaints about?

A complaint of misconduct can involve multiple allegations. The 193 complaints filed by community members resulted in 360 allegations of misconduct, less than half the number of allegations made in 2020. Allegations are categorized by type and the specific Bureau policy involved. All categories of allegations decreased in 2021.

Allegation trends by type 2017 - 2021



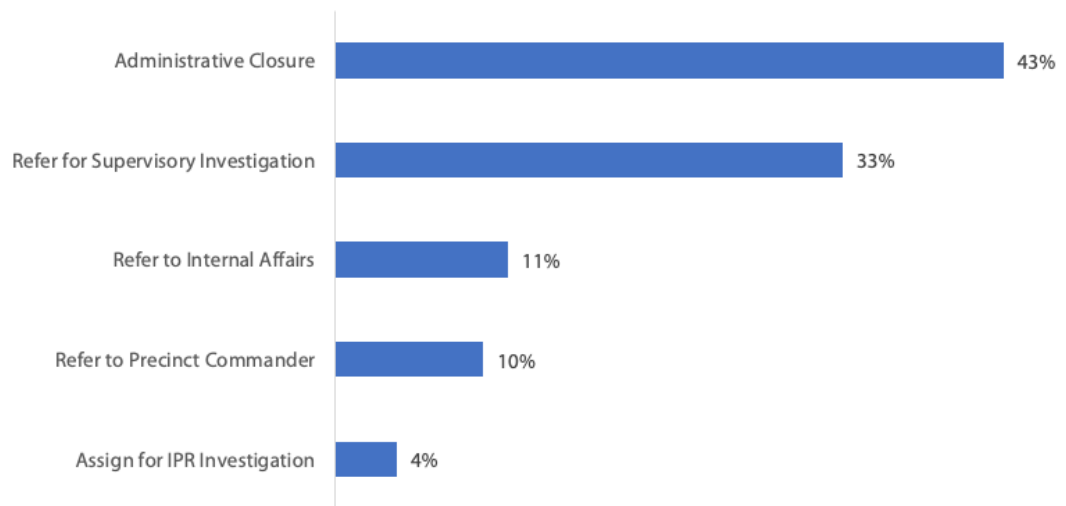
<p style="text-align: center;">Force</p> <p>Inappropriate use of physical force or pointing a firearm at a person</p>	<p style="text-align: center;">Procedure</p> <p>Failure to follow an administrative or procedural requirement</p>	<p style="text-align: center;">Conduct</p> <p>Unjustified, unprofessional,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

What happened to complaints?

When IPR investigators receive a misconduct complaint, they collect preliminary evidence and gather reports related to the allegations to inform what should happen next with the case. Investigators attempt to identify officers and understand what policies may have been violated. IPR uses this information to decide whether to refer the case to Internal Affairs, conduct its own investigation, or close the case at that stage.

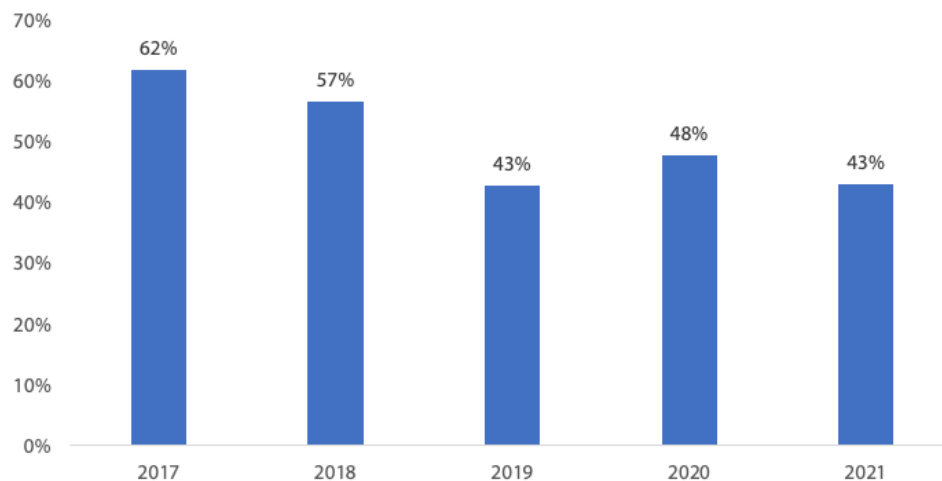
IPR closed 43 percent of complaints after the intake assessment in 2021.

43 percent of complaints were closed after intake in 2021



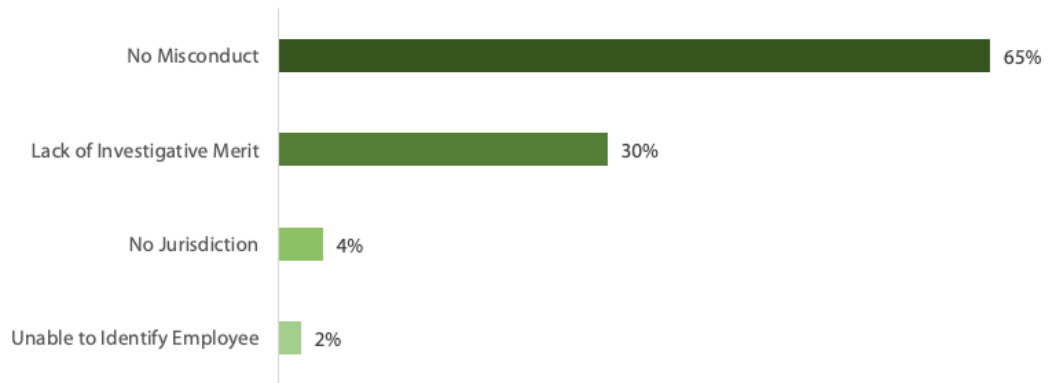
The 43 percent of complaints closed after the intake assessment in 2021 was a decrease from 2020 and below the five-year average of 51 percent.

Closure rates remained lower in 2021



There are eight reasons in City Code that define when a complaint can be closed after an intake assessment, such as when an individual Portland officer cannot be identified or the interaction involved an officer from another agency. Almost two-thirds of closed complaints in 2021 were closed because the allegations, even if proven true, would not be a violation of Bureau policy.

Acceptable conduct under Bureau policy was the most common reason to close a case in 2021

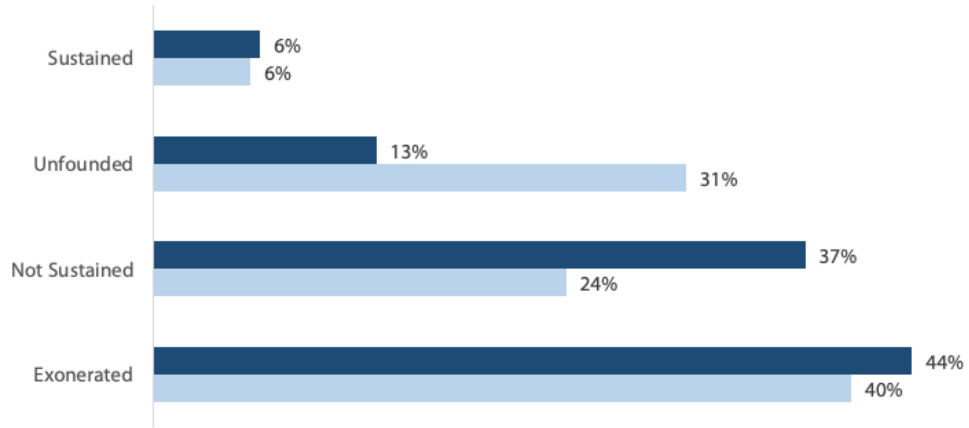


After an investigation is completed, a Police Bureau supervisor reviews the investigation and provides a recommendation whether the officer violated a Bureau policy. The supervisor can choose among four options:

- **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.

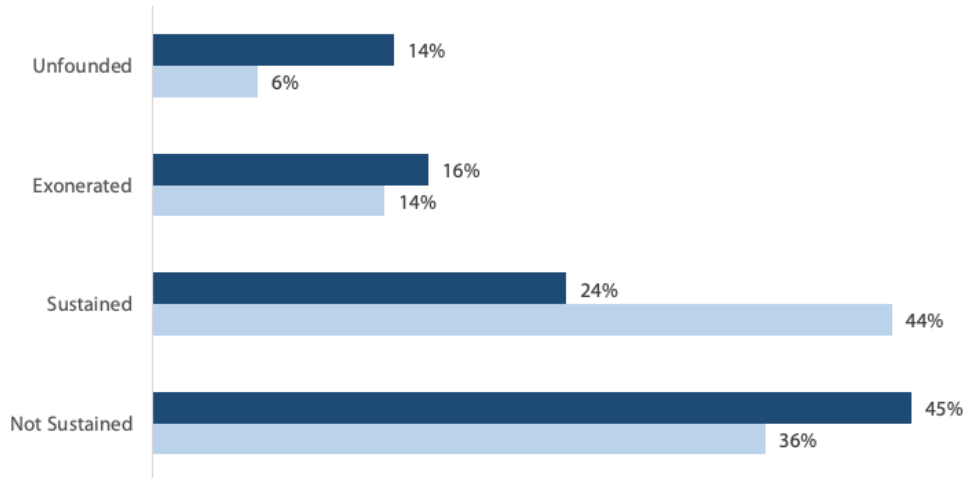
IPR and Internal Affairs completed 88 investigations into community member complaints in 2021, eight fewer than in 2020. Those investigations involved 195 allegations, 6 percent of which were sustained (12).

Police supervisors sustained fewer community member allegations in 2021 than 2020



IPR and Internal Affairs completed 21 investigations into Bureau member complaints filed in 2021, 21 fewer than in 2020. They contained 49 allegations, 24 percent of which were sustained (12).

Police supervisors sustained fewer Bureau member allegations in 2021 than 2020

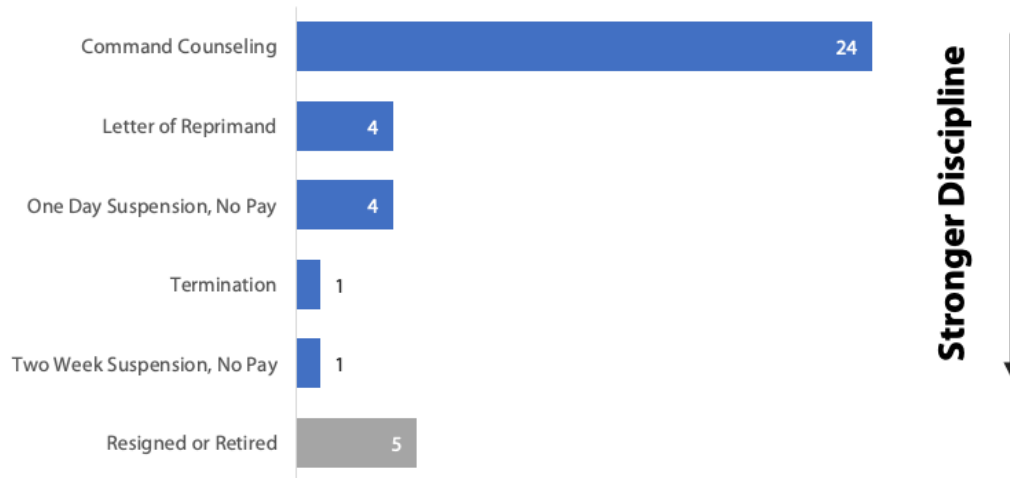


What happened to officers with sustained allegations?

Discipline for a sustained allegation falls within a range. The mildest discipline an officer can receive is command counseling or a letter of reprimand. More serious forms of discipline are demotion, suspension from work without pay, or termination of employment. Some officers also resign or retire while an investigation is pending.

Thirty-four officers were disciplined in 2021 and five resigned or retired before discipline was decided. Most officers received command counseling for allegations brought by community members and Bureau members.

34 officers were disciplined in 2021



What happened to cases appealed to the Citizen Review Committee?

Community members and officers can appeal final decisions made in their cases to the Citizen Review Committee. The Committee reviews the case to determine if all steps in the investigation were completed and the supervisor’s decision was reasonable based on the collected evidence.

The Committee voted on two appealed cases in 2021. In the first case, it voted to challenge the finding of an allegation from not sustained to sustained. City Council subsequently agreed with the Committee and voted to sustain the allegation. In another case, the Committee voted to challenge several allegations from unfounded to not sustained or sustained. The Chief agreed with all of the Committee’s recommendations in that case.

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View this report online: www.portland.gov/ipr/2021-annual-report

Independent Police Review

The City Auditor's Independent Police Review provides impartial oversight of police conduct, practices, and policies to increase accountability and public trust.

Independent Police Review | 1221 SW 4th Avenue, Room 140, Portland, OR 97204