

Independent Police Review

Annual Report 2022

August 2023



Independent Police Review

Highlights from 2022

Independent Police Review (IPR) 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.

Community member complaints remain low

IPR received 174 complaints from community members in 2022, slightly down from the previous year and well below the five-year average of 305 complaints. Complaints from Bureau members went up slightly to 45, and IPR opened 19 new independent investigations in 2022, an increase of 13 from 2021. Ten of these new investigations stemmed from incidents that occurred during the 2020 protests.

2022 AT A GLANCE



174

Misconduct complaints from community members



45

Misconduct complaints from Bureau members



136

Intake investigations conducted by IPR



19

New full investigations conducted by IPR

IPR leaves City Auditor's Office

IPR separated from the City Auditor's Office in July of 2022 after the Auditor revoked her consent to supervise the division. IPR retains the same powers and duties and is now an independent division of the City.

City maintains 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.

The City achieved substantial compliance with this provision in January of 2020. The monitoring team that evaluates the City's compliance with the settlement agreement deemed the City out of compliance in November of 2020 due to police response to protests. The City regained compliance with the timeliness provision of settlement agreement during the last quarter of 2021.

View the Settlement Agreement:

www.portlandoregon.gov/police/article/506328

View evaluations of the City's compliance with the Settlement Agreement:

www.portlandcocl.com/reports

Stakeholders work on body-worn camera policy

Stakeholders in the Settlement Agreement met throughout 2022 in formal mediation proceedings to try to reach agreement on outstanding provisions. One recurrent topic was the development of a policy to implement body-worn cameras for police officers.

IPR believes body-worn cameras will improve the accountability system. Some types of allegations, like Courtesy or Disparate Treatment, can rely on subtle things like tone of voice or word choice that are difficult to prove when an officer's recollection differs from the complainant's. Mass events like the protests throughout 2020 can be especially challenging to investigate because of the difficulty identifying officers and community members. Body-worn cameras will not remove all barriers to effective police accountability, but they will fill important gaps in information that IPR must often function without.

IPR worked with the City to ensure we will have direct access to footage from body-worn cameras as they are implemented. We also requested that the City choose a body-worn camera provider with the ability to record all relevant interactions between officers and community members, not just when an officer chooses to engage their camera.

Amendment requires IPR to investigate supervisory decisions made during 2020 protests

The DOJ found the City out of compliance with sections of the settlement agreement regulating use of force after the protests in 2020. An addendum was made that tasked IPR with investigating supervisory decisions around training, deployment, and review of uses of force during the protests. IPR opened four of these investigations during 2022.

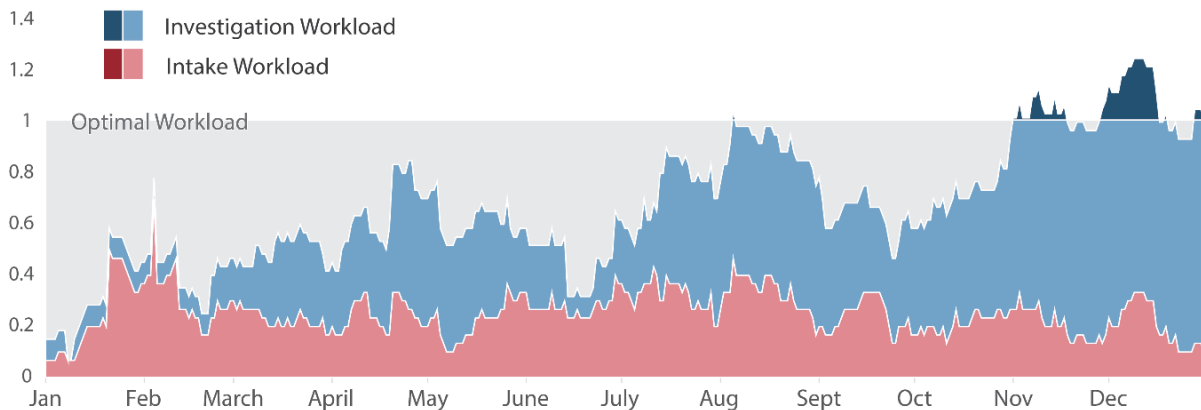
View this addendum on page 60 of the settlement agreement, under Paragraph 192:

www.portlandoregon.gov/police/article/506328

Investigator workload remains at manageable levels

Workload remained at or below capacity for most of 2022, only slightly exceeding a full load per investigator in November and December. Four administrative investigations exceeded 180 days. Additionally, IPR opened four broad investigations into supervisor decision-making mandated by the addendum to the settlement agreement. These investigations have also exceeded 180 days because they are complex and comprehensive and may branch out into additional investigations as work continues.

Seven investigations conducted by IPR in 2022 were closed in under 180 days. Another four remain open and under 180 days.



IPR also completed 136 intake investigations in 2022. These initial reviews of the evidence involve interviewing the complainant, gathering police reports and evidence, and writing an initial report that helps IPR Directors decide what path the complaint should take.

View our quarterly reports with timeliness updates:

www.portland.gov/ipr/news/reports

IPR publishes reviews of police policy

Vulnerabilities in Portland's police accountability system

The 2020 murder of George Floyd sparked more than 100 nights of protest in Portland. The number of complaints IPR received from these events overwhelmed the oversight system and exposed inadequacies with the City's ability to hold officers accountable. We recommended the Bureau prioritize accountability as they develop policies to regulate body-worn cameras and revise training and directives to account for the unique circumstances that reoccurred during the many nights of protest.

View our online report:

www.portland.gov/ipr/2020-protest-report

Responding to domestic violence

Officers and victims' advocates expressed similar needs for responding to domestic violence. IPR found that the Bureau's Special Victims Unit benefits from co-location and collaboration with service partners but officers responding to the initial calls need more trauma-informed training. We recommended the Bureau implement more training specific to domestic violence and update its policy to provide context for why certain procedures are required when responding to domestic violence calls.

View our online report:

www.portland.gov/ipr/domestic-violence-response

How does the 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.

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

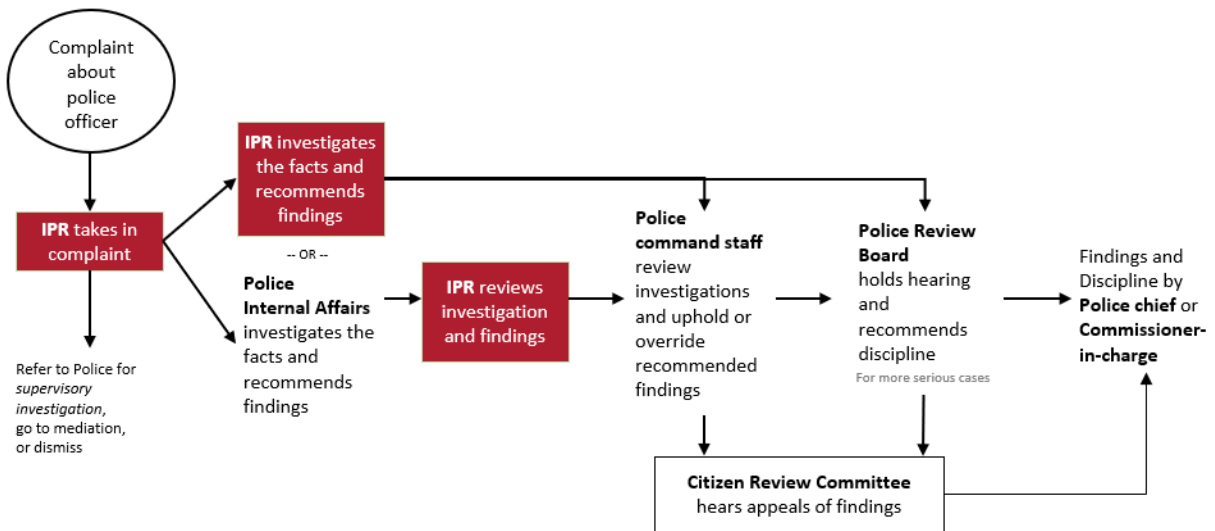
Roles and responsibilities are shared across agencies

Independent Police Review is housed outside of the Police Bureau and is comprised solely of 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.

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.



City envisions new structure of police oversight

Voters in the City of Portland passed a ballot measure in November of 2020 to establish a new system of police oversight and accountability. The City formed a board of community members called the Police Accountability Commission to determine the structure and operations of the new system. IPR will continue to take complaints and investigate misconduct until there is a way to bridge the gap between the current system and the future one.

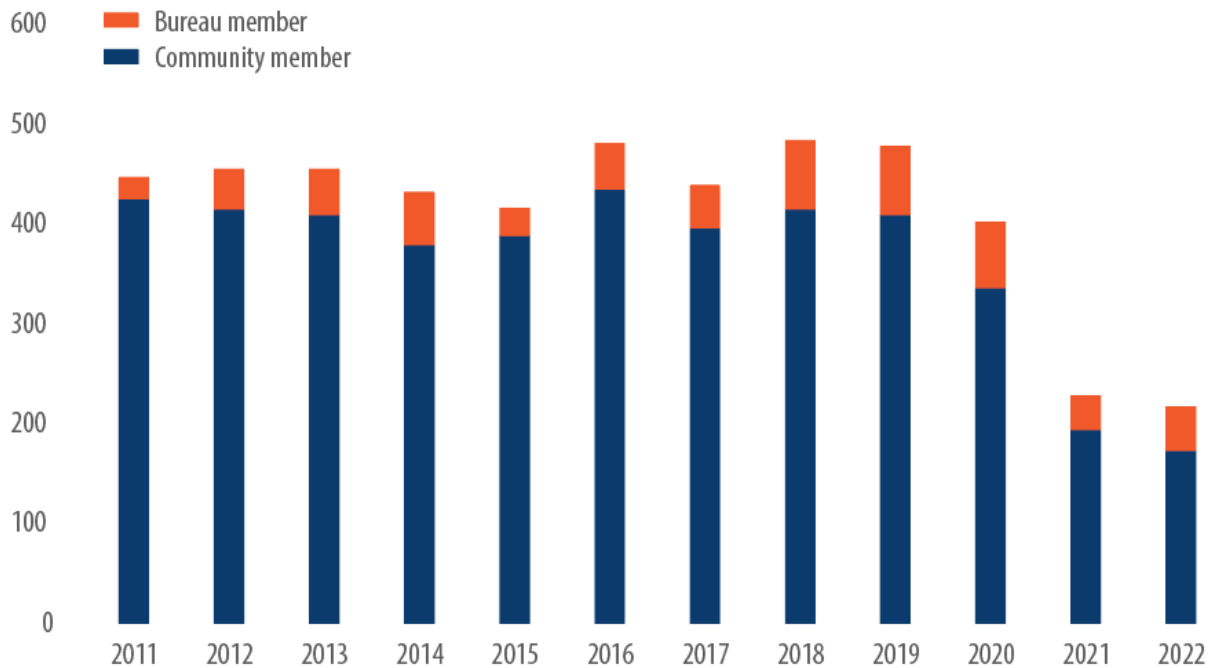
View the Police Accountability Commission website: www.portland.gov/police-accountability

What complaints were made in 2022?

Community members submit complaints to IPR online, through the mail, or over the phone. IPR received 174 complaints from community members in 2022, below the five-year average of 305. Complaints filed by Police Bureau members and non-sworn employees increased compared to 2021 but were still lower than previous years. IPR received 45 such complaints, eleven more than the number received in 2021 but well below the five-year average of 56.

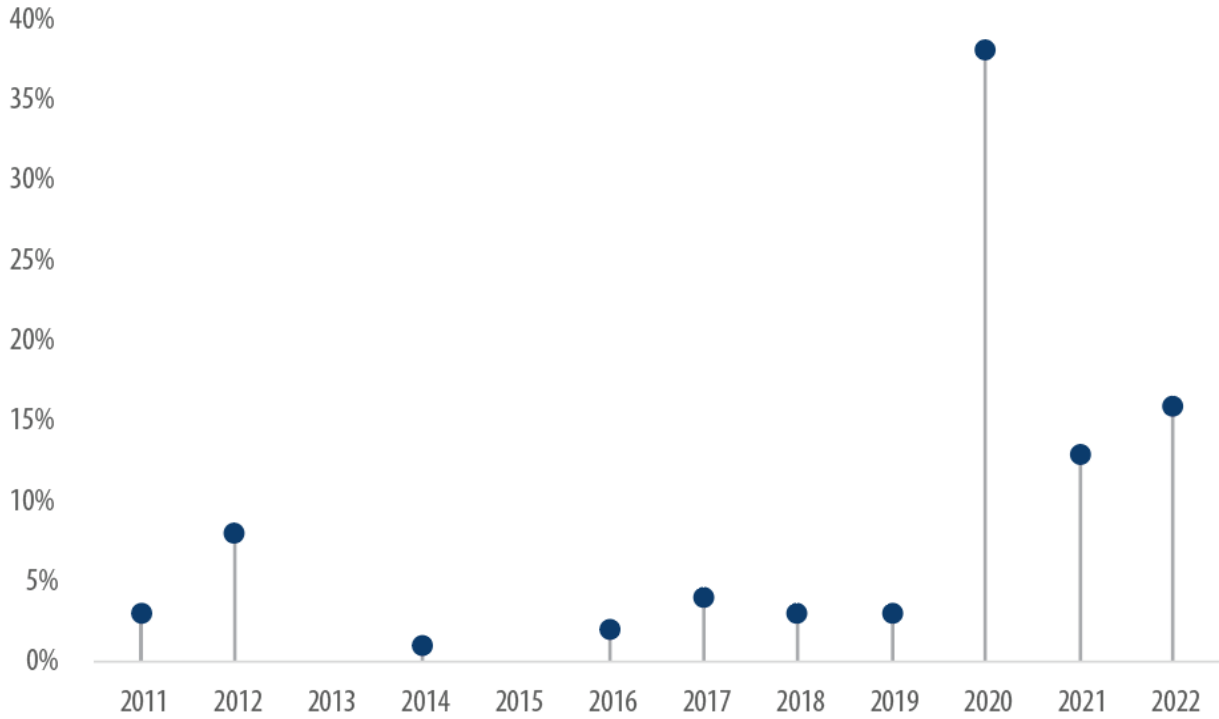
Many factors could affect the decrease in complaints since 2020, including COVID-19's impact on face-to-face interaction, decriminalization of some offenses, and police staffing. The 2020 ballot measure to establish a new system of police oversight may have also led to a lack of clarity around the City's current system to take and investigate complaints.

Complaints plummeted after 2020



Sixteen percent of the 174 community member complaints reported in 2022 were about incidents that occurred during the 2020 protests. This includes the four cases IPR opened to investigate supervisory decisions made during the events. The graph below shows the history of complaints that involved a mass event or protest.

Many complaints still about 2020 protests



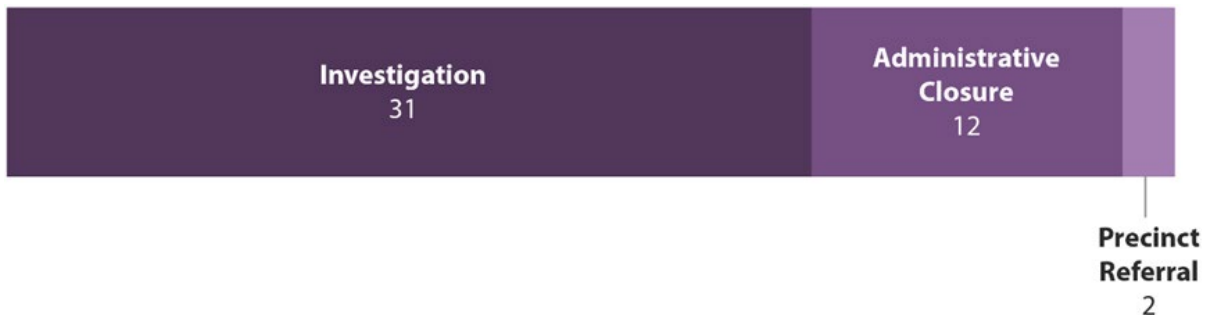
Misconduct investigations may take many paths

A complaint against a police officer goes through many stages before receiving potential findings. When a complaint is submitted to IPR, an investigator conducts an initial intake investigation. During the intake investigation, investigators interview the complainant, gather police reports and evidence, and write an initial report. An IPR manager reviews the report and evidence to decide what happens with the case. There are many possible resolutions for a case at this point including closure, full administrative investigation, supervisory investigation, precinct referral or mediation.

Of the 174 community complaints IPR and Internal Affairs opened in 2022, 73 were administratively closed after an initial review of the evidence. Fifty-five percent (40) of those complaints were closed because the conduct described would not be a violation of a Bureau directive. Thirty-four percent (60) were opened for full investigation.



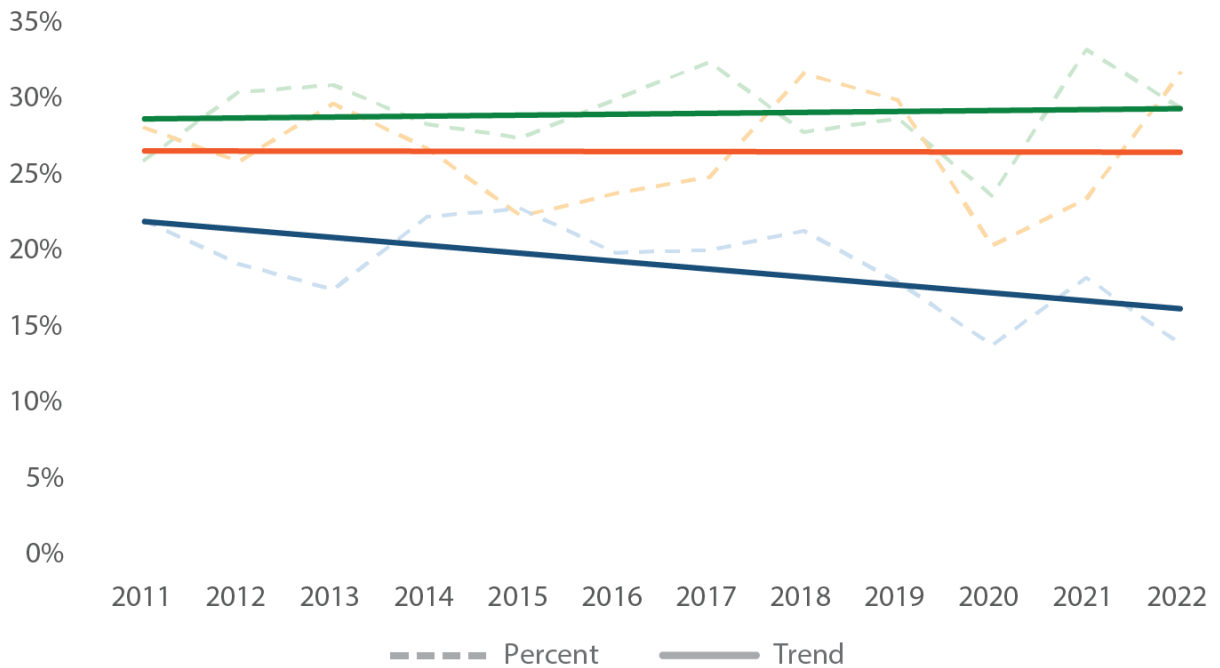
Of the 45 complaints initiated by Bureau members in 2022, 31 were opened for investigation after the initial intake review. This includes the four investigations IPR is conducting to fulfill the addendum to the Settlement Agreement. Twenty-seven percent (12) were administratively closed. Two-thirds (8) of those complaints were closed because the conduct described would not be a violation of a Bureau directive.



Officers assigned to Portland’s three precincts were the subjects of 71 percent of community member complaints. Officers assigned to Central precinct (31 percent) and East precinct (29 percent) were the subject of a similar amount of complaints. North precinct officers were the subjects of 12 percent of complaints. The three precincts are staffed by a similar amount of patrol officers (101 North, 101 East, and 111 Central).

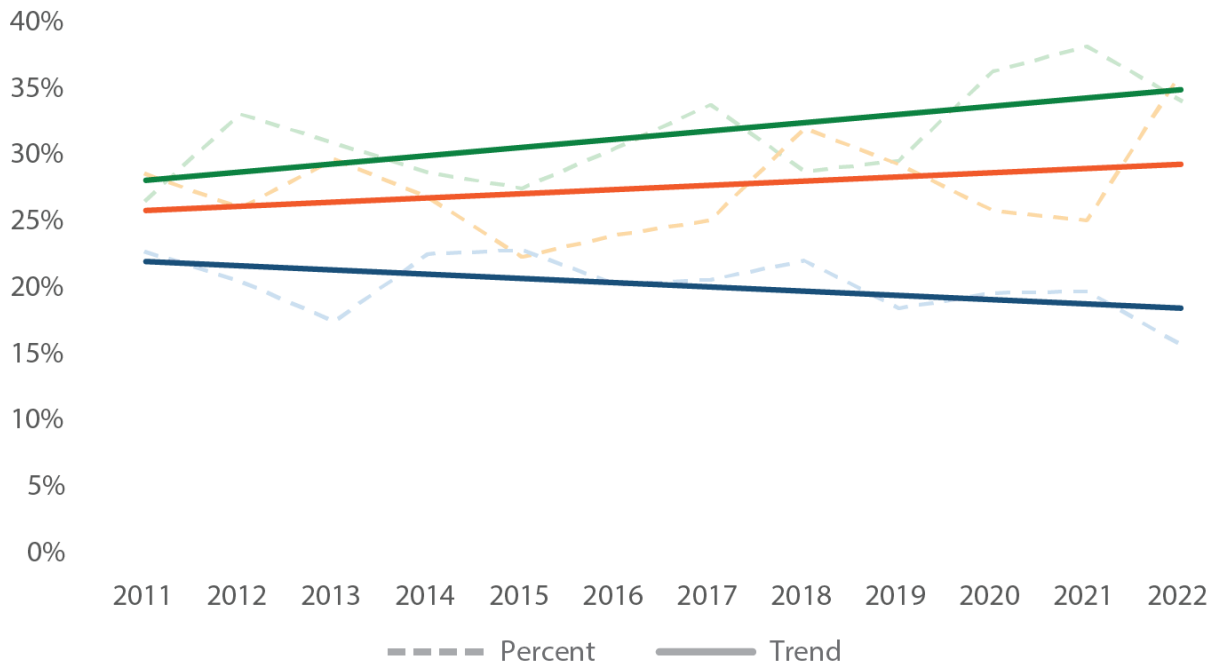
The graphs below show the percent of complaints (dashed lines) each precinct accounted for since 2011 and a linear trendline (solid lines) that shows if the values are generally increasing or decreasing. Values have remained relatively steady for East and Central precincts. North precinct has seen a decline in the percent of community member complaints they receive.

Complaint trends of East, Central, and North precincts



The graph below shows the same figures but with complaints related to protests and mass events removed. Officers, especially those assigned to Central precinct, may be more likely to participate in the response to protests. With complaints related to protests removed, East and Central precincts are trending slightly upward in the proportion of community member complaints they account for. Complaints received by North precinct officers are still decreasing.

Complaint trends of East, Central, and North precincts excluding protest events



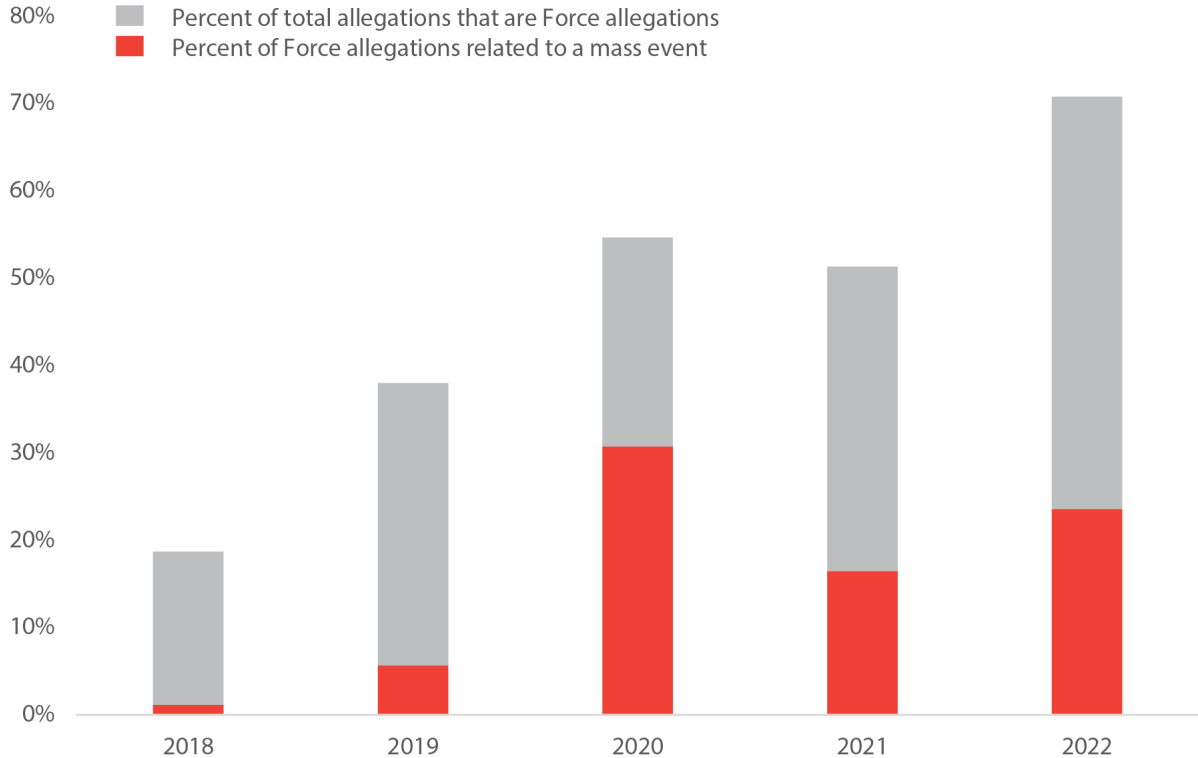
Complaints are not a robust measure of overall misconduct because we don't know if they are submitted equally across different populations and complaints do not always contain misconduct. Counts of complaints by precincts might not indicate differences in conduct because they do not account for the populations of each precinct, different types of crime and calls for service in each area, nor change-over-time of populations or precinct staffing levels.

What were complaints about?

A complaint of misconduct can involve multiple allegations. The 174 complaints filed by community members resulted in 316 closed allegations of misconduct. Allegations are categorized by type and the specific Bureau policy involved.

Conduct	
Unjustified, unprofessional, or inappropriate actions, unsatisfactory performance	A community member told IPR they were almost hit by a Portland Police Bureau vehicle when it did not yield at a stop sign and did not have its lights on
Control	
Inappropriate use of a hold or other technique to control a person's movement	A community member told IPR he felt an officer improperly placed handcuffs on him during an arrest which were too tight and left marks on his wrist
Courtesy	
Discourteous or rude statements or conduct	A community member told IPR they called 911 to report a person yelling threats on the sidewalk. When an officer arrived, the person had stopped yelling. The community member told the officer they had called in the incident and felt the officer's response was rude and dismissive. The officer allegedly told the community member that this behavior is common in Portland and there is little the officer could do about it.
Disparate Treatment	
Inappropriate action or statement based on a characteristic of a person such as race, sex, age, or disability	An African American community member contacted IPR to report a discourteous interaction he had with a police officer outside of his apartment complex, The community member was walking his puppy when an officer looked at him and said "no dogfighting!" and then laughed. The community member thought this comment was harassing and racially motivated.
Force	
Inappropriate use of physical force or pointing a firearm at a person	Officers chased a robbery suspect down the sidewalk on foot. An officer tased the suspect as they fled.
Procedure	
Failure to follow an administrative or procedural requirement	A community member was concerned officers did not follow procedure when they allowed the community member's minor child to leave the scene of a car crash without evaluating for injuries or contacting the parents. The minor was later diagnosed with a concussion. The community member was also concerned the officers did not cite the minor driver of the vehicle for having passengers in their car before they were allowed to.

IPR and Internal Affairs completed 47 investigations of community member complaints in 2022 that involved 106 allegations. Seventy-one percent were categorized as Force allegations. This is above the five-year average of 47 percent. Force allegations rose during 2020 and have remained higher as we continue to receive complaints and work through investigations related to the 2020 protests. One-third of the Force allegations investigated in 2022 stemmed from protest events.

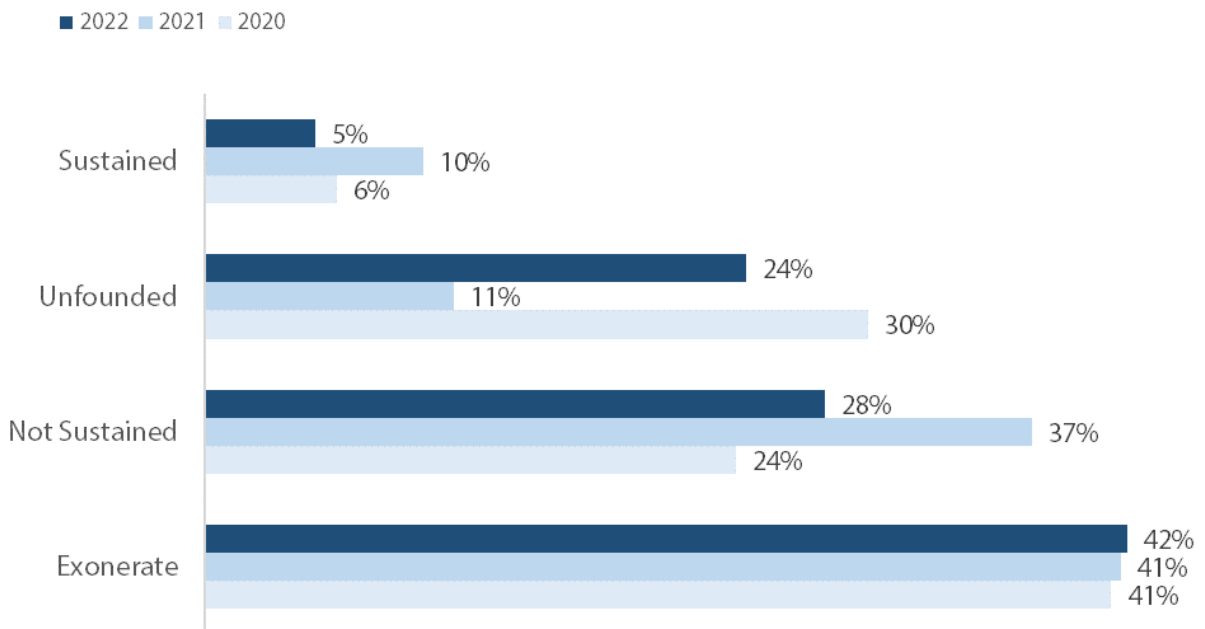


What happened to investigated complaints?

After an investigation is completed, a Police Bureau supervisor reviews the investigation and provides a recommendation about whether the officer violated a Bureau policy. Five percent of community member allegations (7) in 2022 were found to be a violation of Bureau policy. Six of those seven allegations were related to events that occurred during the 2020 protests.

These findings may change as cases opened in 2022 continue to close.

Police supervisors sustained fewer allegations in 2022 than 2021

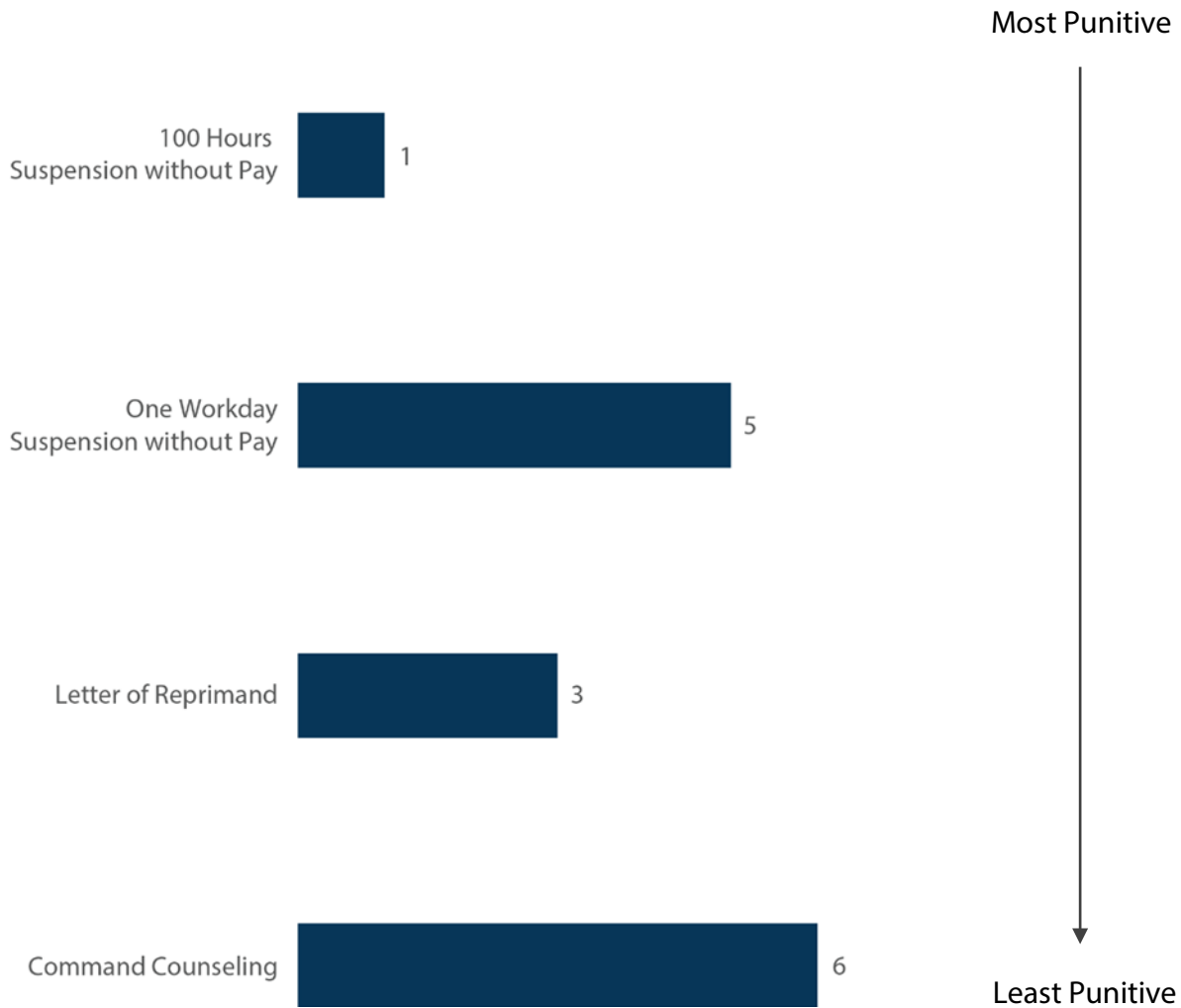


Twenty-seven of 51 allegations in cases initiated by Bureau members were found to violate a Bureau policy after investigation.

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.

15 officers were disciplined in 2022 and one resigned before discipline was decided. Most officers received command counseling for allegations brought by community members and Bureau members.



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View this report online: www.portland.gov/ipr/2022-annual-report

Independent Police Review

We provide 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

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