

QUARTERLY REPORT

INDEPENDENT POLICE REVIEW AND CITIZEN REVIEW COMMITTEE

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FOURTH QUARTER 2009

IPR DIRECTOR'S REPORT

by Mary-Beth Baptista, Director

Education was the primary focus in the last quarter of 2009 for the Independent Police Review (IPR) staff. Auditor LaVonne Griffin-Valade, IPR Assistant Director Constantin Severe, Citizen Review Committee (CRC) member Rochelle Silver, and I attended the National Association for Civilian Oversight of Law Enforcement (NACOLE) conference in Austin, Texas. NACOLE is dedicated to promoting greater police accountability through the establishment or improvement of citizen oversight. Its annual training conference aims to increase the knowledge and skills of staff members and volunteers who work in oversight. The program included very informative and productive sessions focusing on mediation, bias-based policing, ethics and police culture, and working with the mentally ill.

IPR staff members and the Auditor came together for their first retreat in several years. The retreat focused on team-building, goals for IPR in the coming year, and staff roles in achieving those goals. IPR staff also completed 12 hours of intercultural competency training covering oppression theory, intercultural competence, and racism. The facilitator engaged us by addressing these topics through small and large group discussions, interactive group work, and role plays. Everyone is excited about the new skills gained and we are implementing them in our daily work.

OFFICE OF THE CITY AUDITOR

The City Auditor's division of the Independent Police Review (IPR) receives and screens complaints about officers of the Portland Police Bureau (Bureau). IPR may dismiss, mediate, investigate, or refer complaints to the Bureau. IPR analyzes complaint patterns, conducts policy reviews, as well as oversees investigations.



INDEPENDENT POLICE REVIEW
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IPR Outreach Coordinator Irene Konev developed a multi-session orientation for new CRC members. The purpose of this orientation is to give new members a clear understanding of the powers and duties of CRC and to build great working relationships. Other topics on the agenda include an introduction to the inner-workings and responsibilities of the Auditor's Office, IPR, and the Internal Affairs Division (IAD).

CRC CHAIR'S REPORT

by Michael Bigham, Chair



Appeals were again the main focal point of CRC activity this quarter. We sent two cases back to Internal Affairs for further investigation. One case was referred after the full appeal hearing and the other during the case review process.

At the December CRC meeting, Rut Martinez-Alicia of Hybrid Thinking Consulting presented an informative overview of IPR's diversity training.

IAD Captain Dave Famous was promoted to Commander and assigned to lead Portland Police Bureau's (Bureau) Central Precinct. I thank Famous for his diligent service and I wish him well in his new position. Also, I would like to welcome IAD's newly promoted Captain Ed Brumfield; he was a former supervisor of the Bureau's Detective Division.

I am sad to report that Myra Simon resigned from CRC due to a move out of state for employment purposes. New CRC nominee Leslie Detweiler will be presented for CRC appointment by the City Council in early 2010.

CRC has approved an Outreach Workgroup proposal to hold a community forum to gather input on the James Chasse case. This is a huge undertaking, but the members of the workgroup feel that it is an important step in addressing public concerns about this tragic incident.

Finally, our CRC meetings have changed to the second Wednesday of each month in the Lovejoy Room in City Hall @ 5:30 PM — see you there.

CITIZEN REVIEW COMMITTEE

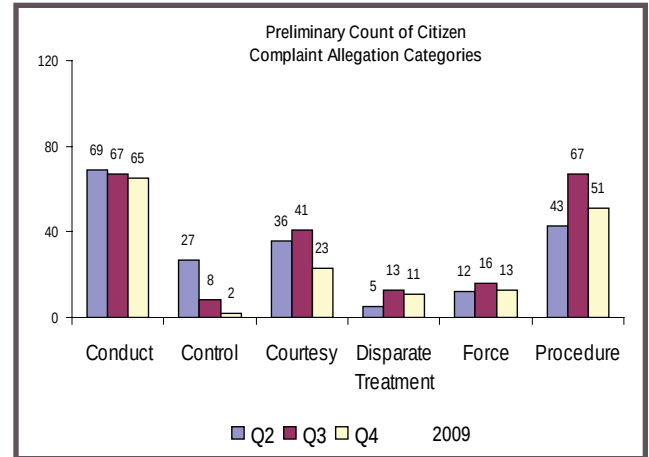
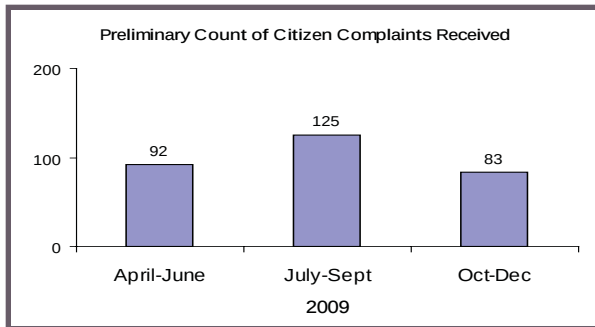
Community Oversight of Portland Police Bureau

As community volunteers, the nine members of the Citizen Review Committee (CRC) are appointed by Portland City Council to monitor and advise IPR, hear appeals, and receive public concerns.

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CASE STATISTICS

IPR records and tracks all citizen-initiated complaints. The following charts show the number of complaints received and the total allegations in each complaint category over the past three quarters. Most complaints contain multiple allegations, each classified and tracked separately, so allegations outnumber new cases.



IPR *randomly* selects a few new citizen complaints, completed investigations, and community commendations from the reporting period to provide examples for the following sections.

NEW CASES

- Complainant contacted IPR after witnessing a Bureau officer (driving a marked patrol vehicle) making several turns without signaling, as required by state law. Complainant attempted to contact a Bureau sergeant who complainant felt dismissed his concerns. **Status:** IPR referred case to IAD as a possible service improvement opportunity.
- Complainant was detained for possible involvement in a series of robberies in downtown Portland. While he was eventually released (without charge) complainant stated that during his period in custody, one of the arresting officers used excessive force causing injuries to complainant's wrist, neck, and back. Complainant also said that a detective in the holding cell area delayed calling for medical assistance, accused him of hurting his own arm, and made an inappropriate statement about complainant to the paramedics. **Status:** Case referred to IAD for investigation.
- Community member was interested in recovering two pistols seized by a Bureau member as a result of an incident at complainant's North Portland convenience store. Bureau member seized the guns as evidence and referred the case to the Detectives Division for further

investigation. **Status:** Dismissed. Informed complainant that he would have to contact the Bureau to obtain a release to recover the weapons.

- Complainant stated a Bureau member used excessive force in taking him out of a police vehicle to place him in maximum restraints while transporting him to the Multnomah County Detention Center. He also said that a sergeant used excessive force (by pressing with his thumb on facial wounds) after complainant spit on him. **Status:** IPR referred case to IAD for investigation. IAD declined to pursue investigation after reviewing complainant's statements to IPR and the police reports of the involved officers.



Left to right: CRC Members Mark Johnson, Rochelle Silver, and JoAnn Jackson attending a monthly CRC meeting in City Hall.

MEDIATIONS

Mediation allows community members and officers to voluntarily come together to discuss their concerns in a respectful, constructive manner; an impartial, professional mediator facilitates the session. Both parties are heard in a confidential and neutral setting with the goal of gaining a better understanding of one another's perspective about the incident.

INVESTIGATED CASES

Senior Bureau management reviewed 25 completed misconduct investigations during the quarter. Many of the complaints involved more than one officer and alleged several acts of misconduct.

Commanders recommended a sustained finding for a least one allegation in nine of the 25 cases. Five of the cases were bureau-initiated and four were from complaints initiated by community members. *Examples include:*

- Complainant stated that during a traffic stop, a Bureau member had verbally demeaned him; used profanity; caused physical discomfort; illegally confiscated an AK-47 semi-automatic assault rifle that was on the front passenger seat of his vehicle when he was stopped by the police; and the officer refused to provide complainant with his name. **Finding:** The two allegations of mishandling property and failing to provide name were found *Exonerated*. The remaining three allegations were *Unproven*.
- Bureau member was arrested by Oregon State Police on allegation of driving under the influence. **Finding:** *Sustained*.
- Involved officer was dispatched to assist a Department of Human Services (DHS) Protective Services Unit case worker on a possible child abuse call. Several issues were investigated including: officer was uncooperative at the scene of a possible child abuse; officer was rude in both language and demeanor towards DHS worker; officer spoke in a rude and demeaning manner towards non-English speaking family members involved in the case; and officer did not write a police report. **Finding:** Allegations involved that the officer was uncooperative at the scene of a possible abuse call and that he was rude to a DHS worker were found to be *Unproven*. The remaining allegations were *Sustained*.

COMMENDATIONS

The Bureau receives community commendations — thanking specific officers for their exemplary work. Copies of a commendation are sent to the officer and his/her supervisor, and are retained in the officer's history file. *Examples include:*

- A woman commended two officers who exemplified community service. They offered to fix her defective brake light rather than issue her a warning and send her on her way.
- A group of people from a local church thanked detectives and officers who responded to their many calls due to various acts of vandalism. Parishioners said the extra police presence in their neighborhood was much appreciated and they were proud of all Portland Police officers.



Left to right: Jeff Bissonnette, Jamie Troy, and Ayoob Ramjan being sworn in as new CRC members by City Auditor LaVonne Griffin-Valade on October 22, 2009. Returning CRC members Hank Miggins and Loren Eriksson were also re-appointed by City Council to serve two-year terms.

CRC WORKGROUPS

1. Bias-based Policing

The Bias-based Policing Workgroup had a follow-up meeting with Chief of Police Rosie Sizer in November. The group plans to complete a final report on its review of disparate treatment complaints in early 2010.

2. Case Handling

The Case Handling Workgroup activities were suspended pending the appointment of new CRC members to fill vacancies in the workgroup. It is prepared to undertake a full-scale file review of cases when new members are appointed.

3. IPR Structure Review

The IPR Structure Review Workgroup was formed in September of 2008 to evaluate, prioritize, and respond to the remaining recommendations made in the 2008 Performance Review of IPR, the complaint handling process, and citizen oversight. The workgroup defined six-primary focus areas: the complaint process, the mediation policy, staffing and training issues, policy development, outreach, and transparency. It is reviewing the current practice in each area and various recommendations for improvement. The workgroup reviewed every recommendation of the 2008 Performance Review and is preparing a comprehensive report. It is on target to complete a draft by the first quarter of 2010.

4. Outreach

The Outreach Workgroup presented its work plan to CRC for adoption in the fourth quarter of 2009. CRC directed the workgroup to plan more community forums, starting with one covering the in-custody death of James Chasse (in 2006). The workgroup also helped edit an op-ed piece appearing in the Oregonian newspaper the first week of January 2010 (authored by CRC Chair Bigham).

5. Police Assessment Resource Center

The Police Assessment Resource Center (PARC) was hired by IPR to develop recommendations for improving the Bureau's investigations and policies related to officer-involved shootings and in-custody deaths. The PARC Workgroup reviewed previous reports written by PARC and the Bureau's responses to its recommendations. The workgroup is currently finalizing a draft report of its findings to present to the full CRC within the next three months. If approved by the CRC, the final report will be released to the public and presented to the City Council.

6. Protocol

The Protocol Workgroup did not meet during the fourth quarter of 2009. The workgroup's revisions to the Policy Review Protocol (5.18) were approved by CRC, but the language was further modified by City Auditor LaVonne Griffin-Valade as she prepared a version for final adoption. The workgroup enters 2010 with new members and a new chairperson.



Left to right: Carolina Hess and IPR Deputy Director Mike Hess presented IPR and CRC information (in Spanish) at Morrison Family Services.



Left to right: Donita Fry of the Native American Youth Association, Arwen Bird of the Human Rights Commission, Irene Konev, and Koffi Dessou of the Office of Human Relations.

IPR OUTREACH UPDATES

IPR Community Outreach Coordinator Irene Konev engaged in activities in the community, at City Hall, and internally at IPR. A new CRC orientation included coordination of a six-hour cultural competence training for incoming CRC members and meetings set up for CRC outreach. The Mayor's and Commissioners' public advocates were given a tour of IPR for streamlined commendation and complaint processes through the IPR office.

Community organizations contacted were Hispanic Services Roundtable, Immigrant and Refugee Community Organization — Youth Transitions Projects, Outside In (a youth organization), Morrison Family Services, Oregon Association of Minority Entrepreneurs, Community and Police Relations Committee, Russian Old Believer Enhancement Services, and canvassing took place in the southeast neighborhood with Urban League and Organizing People Activating Leaders.

Events Konev attended: African Women's Coalition Annual Gathering, Colored Pencils Art and Culture Night, Domestic Violence Summit, and Say Hey Northwest. Self Enhancement Services was toured and networking established; Urban League's presentation of the State of Black Oregon to Multnomah County Commissioners was attended; and through the League of Women Voters, Konev presented to delegates from Russia. She coordinated a television taping of IPR and CRC through Portland Community Media — *Face to Face Program*.

CRC Public Meetings Schedule Second Wednesday Each Month (Subject to Change)

February 10	City Hall — Lovejoy Room @ 5:30 PM
February 17	City Hall — Lovejoy Room @ 5:30 PM
March 10	City Hall — Lovejoy Room @ 5:30 PM
April 14	City Hall — Lovejoy Room @ 5:30 PM