

189673

**Amend Police Review Board Code to clarify that a Citizen Review Committee member will sit on the Police Review Board in cases that involve use of force**

If you wish to speak to Council, please print your name, address and email

Name (PRINT)	Address and Zip Code (Optional)	Email (Optional)
✓ Dan HANDERMAN	PORTLAND COPWATCH	
✓ Maggie		

To: Mayor Ted Wheeler and Commissioners Eudaly, Fish, Fritz and Hardesty:

Portland Copwatch has no strong opinion about the language of the proposed changes to the Police Review Board ordinance,\* though we have many questions about the practical nature of fulfilling its intent and deep concerns that the PRB ordinance keeps getting "tinkered around the edges" when there are large issues that Council keeps ignoring.

The change being made requires that when any case involving officer Use of Force gets before the PRB, one of the two civilians who sit on the Board will be a member of the Citizen Review Committee. This is consistent with the US DOJ Settlement Agreement.

However, the CRC already sits on Police Review Boards in cases of deadly force, and nearly every time in the past two years, the same member has been attending. Chair Kristin Malone has spoken repeatedly at CRC meetings about how the Bureau's reluctance to provide the case materials to CRC members outside of certain business hours has made it very difficult for others to set aside time to review the files and then sit at the hearing. One solution would be to overhaul the Board so it is not fully internal to the Police Bureau, where civilian staff could be more flexible. Another would be to direct the Chief and PPB to allow CRC to have case files digitally; we believe a secure portal was set up for CRC appeal hearings and/or a delivery system involving digital media was created. It's not clear why this can't be done for the PRB.

Another issue, though, is one PCW has brought up with Council, IPR and the Auditor over and over-- that the CRC is populated almost exclusively by young professionals who work full time and thus do not have flexible schedules. Most PRBs are heard during working hours. Intertwined with both of these problems is that IPR is not successfully recruiting retired Portlanders to sit on the board. Where CRC once had a majority of retired persons, causing us consternation, now there are no members over the age of 50.

Additionally, the PRB code has been modified a number of times over the last few years in the wake of the DOJ Agreement. However, few of the suggestions Portland Copwatch and others have put forward have been considered or adopted. Here are items we sent in September 2018 at the last update:

--include the requirement that the PPB do further investigation if the PRB asks for it (which is in the original Settlement Agreement from 2012)

--allow the person who was harmed (or their survivors) to speak to the Board

--open the PRB to the media and/or the public

and

--require the civilian members to hold public meetings twice a year when Police Review Board reports are published.

The Council is poised to appoint (or re-appoint) a slew of people to the Police Review Board sometime in September this year. This is a great opportunity to ask them to hold such meetings, since these people are supposed to be the community's voice in the behind-closed-doors process.

This brings up another issue, though, which is that the PPB used to publish the PRB reports regularly in January and July each year. Last year they were published in September and December. The code requires two reports per year. It's now the end of August and no report has been published in 2019.

We hope the Council will consider taking bolder steps to reform the Police Review Board than the bare minimum "checkbox" to finish off the DOJ Agreement. After all, the DOJ has made it clear many times that the City can create a system which is stronger than what is laid out in the Agreement, just not go backward.

Thank you for your time

dan handelman and other members of  
portland copwatch

\*813 Amend Police Review Board Code to clarify that a Citizen Review Committee member will sit on the Police Review Board as an additional community member in all cases that go before the Board that involve use of force (Ordinance; amend Code Section 3.20.140) 20 minutes requested

<https://www.portlandoregon.gov/auditor/article/740478>