



# IPR Quarterly

Volume 2, Issue 3, Summer 2006 *The Independent Police Review and Citizen Review Committee*

## Welcome to Chief Sizer

Mayor Tom Potter named Rosanne Sizer Chief of the Portland Police Bureau on June 22, 2006, after naming her Acting Chief in April. She will be formally sworn in on July 13.

Chief Sizer met with the CRC at their April meeting, where she thanked them for their work and said she believes the PPB is a better organization for having civilian oversight and a professional staff reviewing complaints.

## IPR Closely Reviews IAD Investigations

by Assistant Director Pete Sandrock

A CRC workgroup in 2004 reviewed a random sample of 15 IAD investigations, and reported finding two investigations incomplete and two more would be better if additional witnesses had been interviewed.

In response to the CRC analysis, IPR and IAD acted to improve the quality of IAD investigations:

1. At IPR's request, IAD started tracking investigations in IPR's case management system ("AIM"), making it easier to monitor the progress and timeliness of investigations.
2. I review all IAD investigative summaries and comments on all investigations in citizen-initiated cases ("C cases") before the cases are sent to the precinct commanders for findings.
3. IAD asked IPR to expand the scope of its reviews to include Bureau-initiated investigations ("B cases").

At Director Stevens' request, I review the complete IAD case files more frequently. I am also sitting in and observing first hand a full on-going use-of-force investigation, including the officers' interviews.

I have reviewed 85 investigations, including 23 B cases. I requested that IAD conduct additional investigation or rewrite the reports in 12 cases. Here are abbreviated examples of my comments:

- *The Investigator's Comments inaccurately described Oregon law and PPB policy regarding warrantless entries into private residences. Federal law is not more stringent than Oregon law on the need for a warrant to enter a private residence to make an arrest [included a lengthy discussion of case law and Bureau policy.]*  
*[Follow-up to above comment] Sgt. \_\_\_ did an excellent job rewriting [the] comments regarding search and seizure law. The Investigation can be sent out for findings.*
- *I reviewed Sgt \_\_\_'s supplemental investigation, and found it complete. I'm impressed the Precinct requested additional investigation even though I found it adequate when I reviewed it last April. The Precinct was right; I was wrong.*

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*Portland Police Chief Rosie Sizer at April CRC meeting.*

## Who We Are

IPR receives and monitors complaints against Portland Police Bureau (PPB) officers. IPR may investigate, mediate or dismiss complaints, or forward them to the PPB for further review, investigation or resolution. We track and analyze complaints and conduct policy reviews.

The nine citizen volunteers of the CRC are appointed by Portland City Council to hear appeals of IAD investigative findings, help IPR identify patterns of problems and develop policy recommendations, review how IPR handles complaints, and hear public concerns.

Together, IPR and the CRC work to improve police accountability to the public and help solve identified problems.

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# Citizen Review Committee News

## ***Chief Accepts CRC Recommendations to Improve IAD Timeliness***

Concerns about how long some investigations were taking led the CRC to appoint two members to review the timeliness of IAD investigations. Members met with IAD Captain Tellis, went over workload and management issues, reviewed all cases that had been open more than 200 days, and reported their findings to the full CRC. As a result the CRC sent a letter to the Chief recommending increased staffing at IAD to better handle their increased case load. In June, Chief Sizer responded that she would assign an extra position to IAD.

## ***CRC Recruitment Process Begins***

Applications will be accepted until September 1, 2006 for volunteers to serve on the CRC. Candidates must be Portland residents or business owners, able to pass a criminal background check, with a lack of real or perceived conflicts of interest, and able to make a substantial time commitment. The goal is to select qualified persons who represent the demographic diversity of Portland. Applications can be obtained on-line or through the IPR office. Please call IPR Deputy Director Mike Hess (503 823-0146) for more information.

## ***CRC Workgroups***

### ***\* Appeal Process Workgroup***

Former CRC members were sent invitations to serve as process advisors to assist people appealing IAD investigative findings to the CRC.

### ***\* Community Advisory Council (CAC) Workgroup***

The CRC hosted a CAC meeting in April to discuss formation of a standing council to advise the CRC on police-related issues and concerns.

### ***\* Tow Policy Workgroup***

This workgroup is interviewing key individuals involved with tow practices and policies in the City and PPB, and reviewing tow-related citizen complaints, in order to develop recommendations to prevent or reduce tow-related problems.

### ***\* Protocols Review Workgroup***

This new workgroup will review IPR and CRC protocols as part of a periodic review process.

## ***Portland Tow Coordinator Speaks in Southwest Portland***



Tow Coordinator Marian Gaylord spoke to the CRC and interested members of the public at the May CRC meeting about her office's work coordinating all City-ordered tows for Portland and the greater Metro area. Of these, police order about 15,000 tows a year. Members of the CRC Tow Policy Workgroup found the presentation about the tow process particularly valuable as they began their tow policy review.



*CRC Meeting in Southwest Portland*

## ***Third Quarter Citizen Review Committee Meetings in Southeast, East Portland***

The July 18th CRC meeting was at the Sellwood Community Center at 1436 SE Spokane. The topic was responding to people with mental health issues, with guest speakers Jay Auslander of Project Respond, Portland's mobile mental health responders, and Officer Paul Ware, Coordinator of Portland Police Bureau's Crisis Intervention Team.

The September 19th meeting will be at the East Portland Community Center, 740 SE 106th Ave. The topic will be policing and civil rights, with a guest speaker to be announced.

Interested members of the Community are invited to attend. There will also be a public discussion period, all during the first half of the meeting.

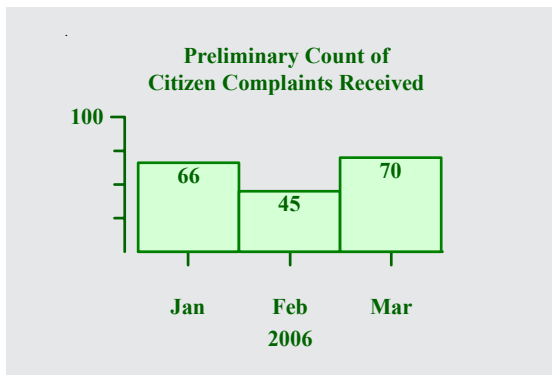
## ***Appeals to the CRC***

Citizens and officers dissatisfied with the findings of complaint investigations may appeal to the CRC. In the second quarter, nine cases were eligible for appeal, and one request for appeal was filed. The CRC reviewed that case and another received in the first quarter. During prehearings, one appeal was declined. The CRC voted to return the other case to IAD for more investigation, after which the CRC held a supplemental hearing in which they voted to decline that appeal.

# Oversight Report

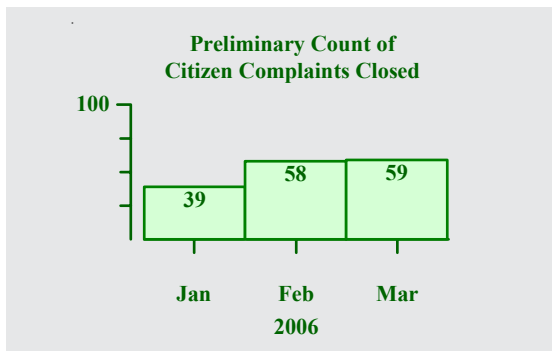
## Report for First Quarter 2006

The following charts show the number of complaints received, and the number of allegations received in each complaint category, and the number of cases closed, based on data from January to March, 2006. (Complete figures are not yet available for the quarter just ended).



IPR records and tracks all citizen-initiated complaints and commendations. During the first quarter of 2006, 181 new complaints were filed with IPR. There were 143 new commendations received. Staff closed 156 citizen-initiated complaints during the same period. March was the busiest month for both new complaint intake and closures.

Most complaints contain multiple allegations, each classified and tracked separately, so the number of allegations greatly exceeds the number of new cases for any period. Many of the new cases involved conduct, procedure or courtesy allegations.



*Conduct* complaints involve “behavior bringing discredit” to the police or the City. This category includes conformance with laws, professionalism, and truthfulness.

*Procedure* complaints allege that an administrative or procedural requirement was not met. This category includes evidence handling, identification, and reporting requirements

*Courtesy* complaints allege rudeness, disrespect, or offensive language or behavior (not including disparate treatment issues).

## First Quarter Case Descriptions

IPR randomly selects one citizen complaint and one commendation from each of the three months of the first quarter to provide examples of the types of cases received.

### January

A man who says he “does not respond well to male authority figures” was told by an officer to stop feeding birds in a park. The verbal contact deteriorated, and the officer cited the man for littering and threatening violence, and excluded him from the park. The man said while he was trying to goad the officer, the officer was discourteous, in part for saying he didn’t care about the man’s feelings.

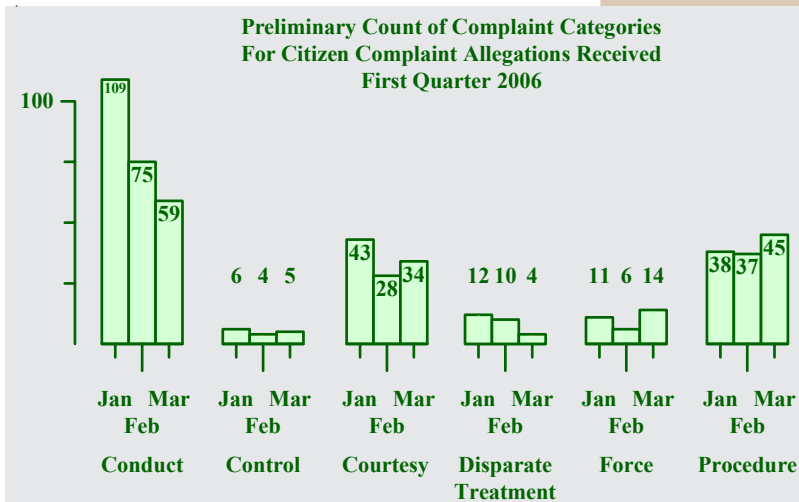
A woman was concerned for the welfare of her neighbor’s Rottweiler-mix dog, who accidentally got loose during a police and K9 search for a suspected burglar. After the search, two officers located and contained the dog until the woman could retrieve it. She and her husband said they were “very impressed” the two officers made the extra effort to get the dog safely home.

### February

A taxi driver called for police assistance after his passenger refused to pay him for returning a forgotten cell phone. After listening to the passenger first, the officer told the driver to turn over the phone, warning that he could be accused of theft since there was no evidence the customer had agreed to pay for the delivery. The driver felt it was racial bias because the officer and passenger were of a different minority group than the driver.

A woman wrote to thank an officer for helping her daughter during an epileptic seizure. The officer “... let me know she had been found in a confused state on a busy street, and had been taken to the

(continued on next page)





## **Case Descriptions** (continued from page 3)

nearby police station.... He then brought her home. The kindness and helpfulness of your police officer was appreciated greatly.”

### **March**

A man has been arrested more than once by the same officer for refusing to leave locations from which he had been trespassed for threatening and assaulting people. He believes the officer is harassing him. The officer wrote in his report that while transporting the man into custody, the man threatened to kill the officer and harm his family. The man alleged the officer only wrote that in his report to justify intended future violence against the complainant. “You see what a report like this could lead up to, ‘Kill me in Self Defense’.”

A couple wrote to thank detectives who reopened and solved their daughter’s 1980 murder case. “We have appreciated beyond mere words the kindness shown to us by each person from your department.... their professionalism is very apparent but we also felt such respect and compassion.... Please accept our grateful thanks.”

### **Calls for Assistance Received by IPR**

In the first quarter of 2006, IPR received 609 phone calls. By comparison, by this time in 2005 the IPR had received 905 phone calls.

### **First Quarter Mediations**

The IPR Mediation Program is an alternative to the disciplinary process, a way for citizens and officers to meet, discuss, and with the help of professional mediators, resolve their issues directly with each other. The IPR Mediation Program received eight new mediation cases and mediated eight in the first quarter of 2006.

## **Other News**

### **PPB Releases Racial Stop Data**

In May, shortly after being appointed Acting Chief, Chief Sizer publicly released PPB data that had been collected on the race of people stopped by PPB officers in 2004 and 2005. The data indicated that Hispanics and particularly African Americans are over-represented in stop rates. African-Americans represent 6.9% of Portland residents, but 13% of all traffic stops. African-Americans are 2.4 times and Hispanics were 1.7 times more likely to be stopped than Caucasians. African-Americans were also more likely to be searched.

At a June Chief’s forum, Chief Sizer pointed out the importance of correctly interpreting the data in order to identify effective ways to address the disparity. She said PPB will be working on the issue, and listening to the community. The Chief and PPB command and supervisory staff participated in a series of community dialogs in May and June to discuss the issue.

## **Reviews of IAD Investigations**

(continued from page 1)

- *After reviewing IAD’s file, I thought Sgt \_\_\_’s interviews left an incomplete picture. When the complainant got out of his truck and began walking back to the officers, neither officer was asked to explain what he was saying, how he was saying it, or if he was waving paperwork as he claimed in his interview with IPR. The investigation did not answer the potentially important question: were there clues the officer should have been more measured in his approach.*
- *When Sgt. \_\_\_ was interviewing the complainant about details of an incident, she said she didn’t remember but “I have everything written down...it’s in the trunk of my car.” Sgt. \_\_\_ did not ask the CO to provide a copy of her notes or give her an opportunity to consult her notes. When a witness claims to have written notes, the investigator should request a copy and give the witness an opportunity to review them. It’s fair, makes for a more complete record, and may disclose inconsistencies.*

The quality of investigations appears to be improving. I identified obvious bias in favor of the accused officers in 3 of the first 16 cases I reviewed; I did not find obvious bias in any of the subsequent 69 reviews. I requested additional work in 16.4% of the first 42 cases but in only 11.7% of the remaining 43.

IAD has demonstrated a genuine interest and positive attitude about improving its investigations even as its overall workload has increased substantially in the past year.

### **New PPB Command Assignments**

In addition to a new Chief of Police, a series of retirements, reassignments and promotions has led to changes in a number of command staff assignments. New Assistant Chiefs are Linnae Berg, recently of the Tactical Operations Division; Rod Beard, formerly of IAD and Commander of the Detectives Division; and Brian Martinek, retiring as Chief of the Vancouver Washington Police Department, is expected to join the PPB. A more complete list of assignments is available on the PPB website at [www.portlandonline.com/police](http://www.portlandonline.com/police), under the *News* tab, Public Information Office.

### **CRC Public Meeting Schedule**

7/18/06	Sellwood Community Center
5:30 pm	1436 SE Spokane Street
8/22/06	Portland City Hall
5:30 pm	Lovejoy Room
9/19/06	East Portland Community Center
5:30 pm	740 SE 106th Ave.

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