

# QUARTERLY REPORT

Independent Police Review (IPR) — Citizen Review Committee (CRC)



[www.portlandoregon.gov/auditor/ipr](http://www.portlandoregon.gov/auditor/ipr)

Third Quarter 2012

## IPR DIRECTOR'S REPORT

by Mary-Beth Baptista, Director



IPR Director Mary-Beth Baptista, Assistant Director Constantin Severe, and/or Assistant Program Manager Rachel Mortimer responded to four separate Portland Police Bureau (PPB) officer-involved shootings. IPR management continues to receive timely notifications of these critical incidents and we are immediately and continually briefed at the scene. Management of IPR and the Police Bureau's Internal Affairs are working collaboratively to conduct an internal policy review of each of the shootings.

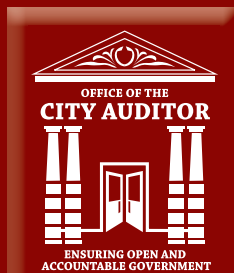
For the second year, Community Outreach Coordinator Irene Konev worked with the City Auditor and the Mayor's Office Summer Youth Connect Program to recruit and hire an intern to work with IPR. The goal of the program is to expose Portland's youth to career opportunities while enhancing academic and marketable skills. This year's intern Christopher Anderson worked with Konev to connect IPR to community organizations, businesses, and the youth of Portland. He also worked on various research projects. Both Anderson and Mortimer went

on police 'ride-alongs' to observe police action and learn about police procedures.

Mortimer, Konev, and Anderson made a presentation on the IPR commendation and complaint process to program participants of Sisters of the Road Café and the homeless advocacy group - Right to 2 Survive/Right 2 Dream Too. Severe met with the new Director of the Office of Equity and Human Rights Dante James and they discussed how their respective branches of city government can cooperate.

### OFFICE OF THE CITY AUDITOR

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



**INDEPENDENT POLICE REVIEW**  
1221 SW 4th Ave., Room 320  
Portland, OR 97204  
503-823-0146  
[ipr@portlandoregon.gov](mailto:ipr@portlandoregon.gov)

## CRC CHAIR'S REPORT

by F.G. (Jamie) Troy II, Chair



The third quarter of 2012 proved to be one of policy review and diplomatic negotiations for CRC.

At our July meeting, CRC Vice-Chair and Taser/Less-lethal Force Workgroup Chair Michael Bigham presented that group's summative report to the full committee. The report is a culmination of several years of research and recommends substantive changes to PPB policy.

In August, IPR Senior Management Analyst Derek Reinke presented his review of Mutual Aid Agreements between PPB and other local law enforcement agencies. Some members of the committee continue to express concerns about how the details of these agreements may undermine the public's confidence in effective citizen oversight of the PPB, as other agencies assisting Portland with crowd control and other events may not be subject to the same rules and oversight as Portland officers.

At our September meeting, we conducted a pre-appeal case file review on a complaint alleging excessive use of force while executing an arrest warrant. After learning that there may be additional eye witnesses who were not interviewed, CRC voted to request further investigation. Finally, we were able to meet with Mayor Sam Adams and other stakeholders in late September to discuss a twice-declined request CRC made for additional investigation on an earlier appeal. After considering all sides of the issue, Mayor Adams has directed Internal Affairs to conduct further investigation.

## CITIZEN REVIEW COMMITTEE

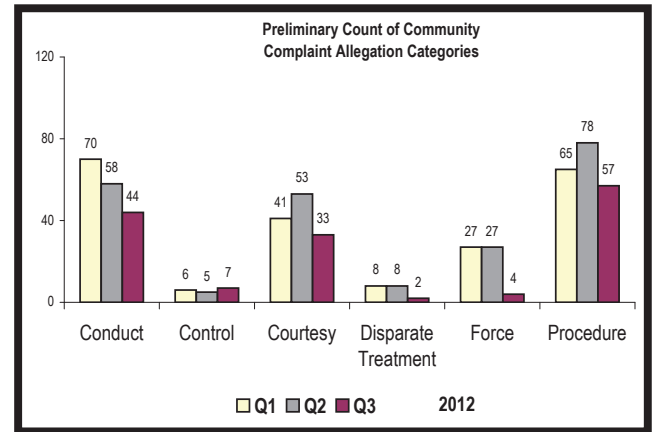
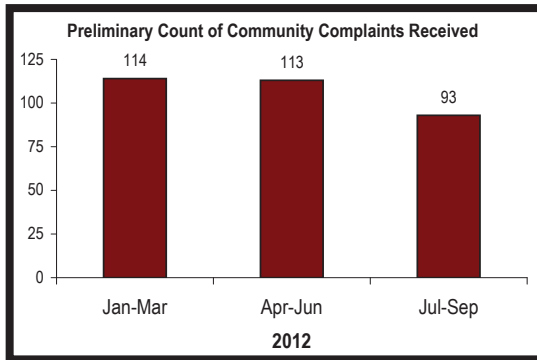
*Community Oversight of Portland Police Bureau*

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

[crc@portlandoregon.gov](mailto:crc@portlandoregon.gov) Message: 503-823-0926  
[www.portlandoregon.gov/auditor/ipr](http://www.portlandoregon.gov/auditor/ipr) Fax: 503-823-3530  
TTD: 503-823-6868

## CASE STATISTICS

IPR records and tracks all community 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 community complaints, completed investigations, and officer commendations from the reporting period to provide examples for the following sections.

## NEW CASES

- A complainant was unable to navigate back to Interstate 5 in an unfamiliar part of town. She pulled over to get directions on her phone when an officer contacted her. Rather than offer help or try to understand, the woman says the officer was disrespectful and “pompous” as he issued a ticket for cell phone use.

**Status:** *IPR Intake Ongoing.*

A community member called for police assistance after an argument with a woman over the position of a parked car escalated. The caller and one of the reporting officers then had their own disagreement. The caller later contacted IPR and reported that the officer as disrespectful and unprofessional during the interaction. The case was ultimately handled as a Service Improvement Opportunity (SIO).

**Status:** *SIO Completed.*

## 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.

There were three cases recommended for mediation in the third quarter of 2012. One was in the scheduling process at the end of the quarter. The other two mediations were awaiting response from the involved officers to confirm their participation.



IPR Community Outreach Coordinator Irene Konev and CRC member Dr. Rochelle Silver attend the Portland Housing Discrimination Tour. CRC members Andre Pruitt, K.A. Lalsingh, and Jeff Bissonnette also joined the tour.

## INVESTIGATED CASES

Senior Bureau management reviewed 24 completed misconduct investigations during the quarter. Many of the complaints involved more than one officer and alleged several acts of misconduct.

Commanders recommended at least one sustained finding in 15 of the 24 cases, and suggested an officer debrief in two of the 'non-sustained' cases.

### INVESTIGATED CASE EXAMPLE AND FINDINGS

- IPR opened a complaint upon receiving notice of tort claim notice filed by the attorney of a community member. The man was arrested as police broke up a large fight in a nightclub in the Old Town area. The man says he had little to do with the altercation and officers used excessive force (including a Taser) when arresting him.
  - Officer made arrest without probable cause - *Exonerated.*
  - Officers used excessive physical force while taking man into custody - *Exonerated.*

## COMMENDATIONS

The Police Bureau and IPR receive 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 man wrote to commend two officers that provided information on eviction notices and tenant/landlord issues. Their support helped resolve a tense situation into a positive outcome.

A father from a SW neighborhood wrote to commend an officer who made a positive impression in his son's life.

A woman in NE Portland was pulled over for running a stop sign. She described herself as emotional and stressed. But rather than being the "last straw" in a very difficult week, the officer used the routine stop to connect to a hurting person in the community." He showed genuine concern for her well-being.

## CRC WORKGROUPS

### **Use of Deadly Force**

Use of Deadly Force Workgroup is reviewing the Police Bureau's policies and training regarding the highest levels of physical force. During the second quarter the group heard two presentations. The first was by a City Attorney's Office representative and covered the laws and Police Bureau directives relevant to the use of deadly force. The second was an overview of the collective bargaining and arbitration processes.

### **Crowd Control**

The Crowd Control Workgroup is studying the Police Bureau's response to large public events such as protest marches. The Workgroup held an evening public forum in North Portland in late August to gather public feedback. The group also interviewed a number of attorneys with direct experience with public protests or experience representing clients with charges or tort claims stemming from similar 'crowd' events.

### **Outreach**

The Outreach Workgroup has been working in conjunction with the Kennedy School Race Talks planning committee on the November community forum. The forum will explore community policing in Portland, lessons from community and police interactions, and possible issues for the CRC to address. Some of the recent changes CRC has undergone will be shared at the community forum.

### **Recruitment, Retention, and Promotion**

The Recruitment, Retention and Promotion Workgroup has begun a study to determine

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whether there is any correlation between the age, gender, education level, and experience of a police officer and the statistical likelihood of that officer engaging in misconduct. The project will evaluate and incorporate credible existing studies from similar municipalities and law enforcement agencies throughout the nation, and also examine several years of relevant data from the PPB. In addition to relying on key PPB personnel and resources, the Workgroup will receive assistance and input from Dr. Brian Renauer and Ms. Emily Covelli of Portland State University Criminal Justice Policy Research Institute. Former Hillsboro Police Chief Ron Louie will also consult with the group on this study.

### Recurring Audit

The Recurring Audit Workgroup is completing a report on the handling of complaints dismissed by IPR and is preparing to review key aspects of closed investigations to determine effectiveness. The Workgroup also said good-bye to member (and former chair) Ayoob Ramjan who was transferred out of the area for work. The group thanks Ayoob and wishes him the best in all his endeavors.

### Taser/Less-lethal Force

The Taser/Less-lethal Workgroup published its formal report during the third quarter. The report can be found on IPR's web site, including responses from the Police Bureau and IPR.



Coordinator Konev chats with Daniel Ledezma (left) of the Portland Housing Bureau and Galina Nekrasova (right) of the Association of Slavic Immigrants at Proud Ground's grand opening ceremony event for Svaboda Court. Photo courtesy of Yuriy Boychenko, Kanon Magazine.

## IPR OUTREACH UPDATES



Irene Konev

Community Outreach Coordinator Irene Konev worked with the Auditor and Mayor's Office to recruit and hire intern Christopher Anderson from the Summer Youth Connect Program. The goal of the program is to expose Portland's youth to career opportunities while enhancing academic and marketable skills. Anderson worked with Konev in outreach, completed his internship, and returned to his studies at the University of Oregon.

Networking and presentations took place with the following:

- National Night Out
- Better People
- Urban League
- Sisters of the Road Café
- Association of Slavic Immigrants
- Right to 2 Survive/Right 2 Dream Too
- VOZ Workers' Rights Education Project
- Proud Ground's Grand Opening of Svaboda Court
- Coffee and Issues at Oregon Association of Minority Entrepreneurs
- Asian Pacific American Chamber of Commerce of Oregon and SW Washington

### CRC and IPR Attendance at Outreach Events

- Say Hey Northwest
- Kennedy School Race Talks
- Gang Violence Task Force meeting
- Portland Housing Discrimination Tour
- National Association for the Advancement of Colored People

### Hearing Community

Konev and the CRC Outreach Workgroup collaborated with Race Talks of Kennedy School to bring a dialogue on community concerns about policing. The title of the dialogue is "Community Policing: Is it working" and is scheduled to take place on Tuesday November 13<sup>th</sup> from 7:00 pm to 9:00 pm at 5736 N.E. 33<sup>rd</sup> Ave, Portland, Oregon, 97211. All community members are welcome to attend and participate.

### CRC Public Meetings Schedule

First Wednesday of each month  
(Subject to change\*)

Wed., Nov. 7	Portland Building — 2nd Floor @ 5:30 PM
Wed., Dec. 5	City Hall — Lovejoy Room @ 5:30 PM
Wed., Jan. 2	City Hall — Lovejoy Room @ 5:30 PM