

QUARTERLY REPORT

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



www.portlandoregon.gov/auditor/ipr

Fourth Quarter 2012

IPR DIRECTOR'S REPORT

by Mary-Beth Baptista, Director

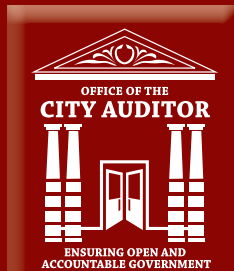


City Auditor Lavonne Griffin-Valade released detailed findings of a review of the administrative investigation and legal proceedings that led to and followed the Portland Police Bureau's (PPB) determination that Officer Ronald Frashour acted out of policy and should be terminated for shooting and killing Aaron

Campbell in January 2010. Her team, which included IPR Assistant Director Constantin Severe and Program Manager Rachel Mortimer, reviewed testimony of several PPB members for possible untruthfulness and examined whether the authors of the training analysis were subjected to undue pressure to conclude that Officer Frashour acted out of policy. The Auditor concluded that no PPB members engaged in untruthfulness and the authors of the training analysis and came to their conclusions independently. The Auditor did fault PPB for not having a Standard Operating Procedure (SOP) governing the creation of the training analyses and recommended the implementation of an SOP. Of note, the Oregon Employment Relations Board subsequently ruled that the city must adhere to an arbitrator's decision and re-hire Ron Frashour.

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
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Griffin-Valade, Severe, and I attended the 18th Annual National Association of Civilian Oversight of Law Enforcement conference. The conference theme was "Building Community Trust" and it offered several workshops on developing effective policy recommendations, oversight of police actions during public protests, and new methodologies in investigating officer-involved shootings. It was also an opportunity to join the dialog with oversight professionals, community members, and law enforcement personnel working to shape civilian oversight.

CRC CHAIR'S REPORT

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



The draft Federal Department of Justice (DOJ) settlement with the City - released during the final quarter of 2012 - included a recommendation that the timelines for appeals be shortened from roughly 60 to 21 days. CRC members worried this shortened timeline would prove

difficult for our volunteer committee, including impeding the ability of our Appeal Process Advisors (APA) to adequately prepare appellants. This was discussed at length at our November meeting, and members Mr. Bigham and Dr. Silver presented our concerns to City Council at a public hearing on the settlement. Prior to our final meeting of the year, I met with U.S. Attorney, Amanda Marshall, to discuss CRC concerns with the DOJ Settlement. Because of this, Adrian Brown, from the U.S. Attorney's Office attended our December meeting and provided some updates and feedback as to our concerns.

CRC conducted an Appeal Hearing in November and were aided in dissecting some of the more complicated legal aspects by Deputy City Attorney David Woboril and the Appellant's attorney, Benjamin Haile. Thanks also to Sherrelle Owens for serving as the APA at this appeal. Also in November, group members participated in an equity training to fulfill our diversity education and attended Race Talks at the Kennedy School as our public outreach event (in lieu of a forum).

CRC also lost two members during the quarter. We thank Andre Pruitt and K.A. Lalsingh for their contributions to our group, including work on public outreach and diversity training, and wish them both well.

CITIZEN REVIEW COMMITTEE

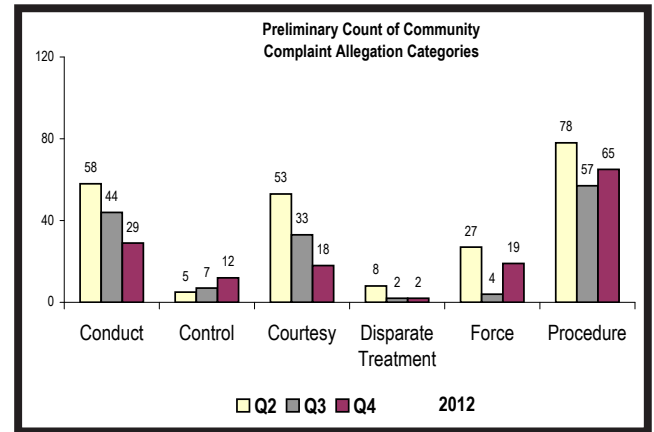
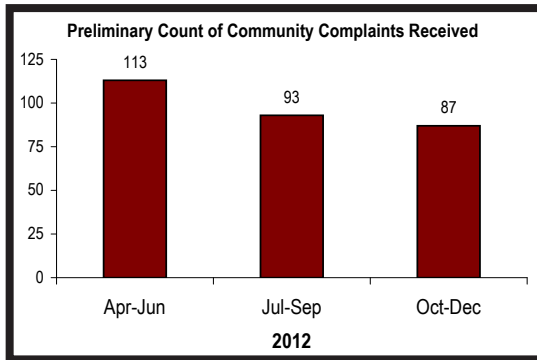
Community Oversight of Portland Police Bureau

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.

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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 said that he was “threatened by a homeless person” outside of Central Library in downtown Portland and that the responding officer did not take appropriate action to investigate.

Status: *IPR Intake Ongoing.*

A community member called IPR after a frustrating experience with an officer who responded to the scene of a car accident involving her family. The parents and officer apparently disagreed over the seriousness of various injuries and need for medical (paramedic) response. The caller described the officer as rude and mentioned that she failed to provide identification. 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 two cases successfully mediated in the fourth quarter of 2012. Three possible mediations are currently pending.



CRC Member Jeff Bissonnette participates in a small group discussion at the Kennedy School Race Talks/CRC Forum.

INVESTIGATED CASES

Senior Bureau management reviewed 19 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 10 of the 19 cases, and suggested an officer debrief in three of the 'non-sustained' cases.

INVESTIGATED CASE EXAMPLE AND FINDINGS

- A community member complained of excessive force and mistreatment at the contact point between police and protesters during the clearing of a downtown park. IPR and IA thoroughly reviewed and investigated the incident including video of the interaction and witness statements.
 - Allegation: Officers used excessive physical force and control techniques while taking man into custody. Finding: *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 woman wrote to commend an officer's response to the theft of her family's dog. The situation was particularly distressing to the woman's teen-aged daughter who relies on the dog for support and companionship in coping

with Asperger Syndrome. The officer went "above and beyond" with his assistance and demonstrated his "compassion and diligence" in several interactions with the family.

An activist and member of Occupy Portland wrote to commend the "exemplary values" shown by one sergeant during a series of recent interactions. He wrote that the officer was "dedicated to consensus building, creative problem solving, and developing resolutions" among the parties involved.

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. Since October, the Workgroup has concentrated on responding to proposed changes in Use of Force Policies and the Department of Justice/City of Portland agreement. In the next quarter, the Workgroup plans to closely track the Fairness Hearing (and other steps in the agreement) and discuss training with PPB personnel.

Crowd Control

The Crowd Control Workgroup continued to gather information related to the crowd control policies and tactics of the Police Bureau by speaking with community members and experts. In November, the Workgroup met with Deputy City Attorney David Woboril to discuss legal issues surrounding crowd control in Portland. In the first quarter of 2013, the Workgroup will set up meetings with key Bureau personnel to discuss the issues at hand.

Outreach

The Outreach Workgroup collaborated with other community organizations to co-host a CRC/Race Talks forum at the Kennedy School in November. There were over 150 attendees who participated in dialogue on community policing, including some (current and retired) PPB command staff and officers.

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Recruitment, Retention, and Promotion

The Recruitment, Retention and Promotion Workgroup is developing a study to determine 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 Portland State University's Criminal Justice Policy Research Institute.

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 did not meet during the quarter.

Taser/Less-lethal Force

The Taser/Less-lethal Workgroup presented its formal report to City Council during the quarter and officially disbanded. The report can be found on IPR's web site, including responses from the Police Bureau and IPR.



Coordinator Konev and Police Bureau members Natasha Haunsperger and Mike Lee meet with members of the newly formed Slavic Council to the Chief's Office.

IPR OUTREACH UPDATES



Irene Konev

Community Outreach Coordinator Irene Konev worked with members of the Slavic community and the Portland Police Bureau to form the Slavic Council to the Chief's Office, to strengthen relationships, provide cultural competence, and address community concerns.

Networking and presentations took place with the following:

- Rosewood Revitalization Event
- Liberation Based Healing Conference
- Urban League African American Alliance Forum
- Russian Speaking Network
- Say Hey Northwest
- Center for Intercultural Organizing
- Fix - it Fair at Madison High School
- Portland Business Alliance Open House
- Race Talks Holiday Mixer
- Multnomah County Family Violence Coordinating Council
- Rosa Parks School
- Spirit of Unity Awards
- Citywide Public Involvement Network

CRC and IPR Attendance at Outreach Events

- Kennedy School Race Talks/CRC Forum
- Community Policing Reception
- PPB Training Facility Dedication Ceremony
- Community and Police Relations Committee Meeting

Citizen Review Committee Recruitment

IPR is accepting applications for volunteers to serve in police oversight; to work as an advisor to IPR, make policy recommendations, hear appeals, and gather community concerns about policing.

CRC Public Meetings Schedule

First Wednesday of each month
(Subject to change*)

Wed., Mar. 6	Portland Building — 2nd Floor @ 5:30 PM
Wed., Apr. 3	City Hall — Lovejoy Room @ 5:30 PM
Wed., May 1	City Hall — Lovejoy Room @ 5:30 PM