

October 20, 2007

RECEIVED  
MAYOR'S OFFICE

1  
**DRAFT**

07 OCT 23 PM 1:42

City of Portland  
Office of Mayor Tom Potter  
1221 SW 4<sup>th</sup> Avenue, Suite 340  
Portland, OR 97204-1995  
Attn: Maria Rubio

RE: RFP No. MAY008

Dear Mayor Potter,

Enclosed please find the Interim Report on the Performance Review of the Independent Police Review Division due to your office on October 20, 2007. My research team and I are privileged to have been awarded this contract and to conduct this evaluation of this important aspect of Portland City government. I hope that this report meets all of your expectations.

During the last three months we have begun the performance review of the Independent Police Review System. This study, as we have designed it, is in four parts:

- the first is a survey of all complainants to the Independent Police Review Office (IPR) since 2001;
- the second is a survey of all Portland Police Bureau Patrol Officers and Patrol Supervisory personnel;
- the third is information obtained from interviews of City officials and staff, police officers and complainants, citizen activists, and focus groups;
- the fourth is the review and assessment of complaint records and complaint investigations of the IPR and the Internal Affairs Division (IAD).

The information obtained from all of these sources will be assessed and integrated to provide an accurate and in-depth performance evaluation of the IPR system.

We have conducted four site visits to Portland and have discussed the system with many people. We have met with many City officials and Staff. Focus groups have been convened for the purpose of discussing the IPR and we have attended many meetings called for purposes other than this study. We have been encouraged by the interest in this evaluation shown by many Portland staff and residents and by their willingness to take their own time to assist us in this study. We greatly appreciate it.


We obtained a large amount of information during this first phase of the evaluation. We are continuing to contact and interview complainants who have not, as yet, returned the citizen survey forms, and for whom we have active phone numbers. We are now analyzing the information obtained to date, as well as additional information as it becomes available. Phone interviews of City officials and citizens will continue during the months of October and November, 2007. In addition, a final site visit is scheduled for early in December

The research team consists of myself and Dennis Firebaugh, MA, who has served as the Senior Research Associate for this study. Dennis holds degrees in both Education and History. He is a retired teacher, with experience in public schools, Community Colleges and Tribal Colleges. The team of Research Assistants includes three graduate students and two undergraduate students from the American Indian Studies Program. Two of the three graduate students are studying for their Master's degrees, and one is a

PhD student who was previously a California police officer. Three Student Research Assistants are American Indians, two are non-Indians; four are women, one is male. The final site visit in December will occur after semester finals, so that two of the Graduate student Research Assistants will be able to participate. I look forward to introducing them to citizens and officials of the City of Portland and to having their assistance in focus group meetings and interviews.

I hope that the following Interim Report provides you with the information you need. I look forward to continuing to work with you and your highly efficient and helpful staff. Please do not hesitate to contact me if I can provide any further information or answer any questions you might have regarding this evaluation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eileen M. Luna-Firebaugh".

Eileen M. Luna-Firebaugh, JD, MPA

**October 20, 2007 Interim Report on activities undertaken pursuant to CONTRACT NO. MAY 008 IPR Performance Review**

The work plan on the above referenced contract was signed between the City of Portland and Eileen M. Luna-Firebaugh on July 16, 2007. Work pursuant to the following work plan began on that date.

**Work Plan as Set by City of Portland**

1. Assess the effectiveness of the Office of Independent Police Review Division (IPR) for compliance with its directives from City Council;
2. Assess the effectiveness of the Independent Police Review Division as it relates to meeting the needs of the community for resolution of complaints against police;
3. Assess the Independent Police Review Division and the Citizen Review Committee for their effectiveness in making recommendations for changes to police policies and procedures.
4. Assess the extent to which investigations conducted by the Police Bureau's Internal Affairs Division as reviewed by the IPR are sufficiently independent, objective and free of conflicts of interest so as to meet the directives of City Council.
5. Determine the satisfaction level of the community as it relates to access, approachability, and treatment.
6. Determine satisfaction level of the community as it relates to handling, investigation, review, and outcome of complaints; and
7. Respond to the following questions:
  - a. Does Independent Police Review Division (IPR) have the key features of an effective police monitoring agency? Are there better practices in place elsewhere?
  - b. Does the Citizen Review Committee (CRC) have the key features of an effective complaint hearings body? Are there better practices in place elsewhere?
  - c. Do IPR and CRC provide a reasonable system of checks to ensure that complaints are properly handled? Are there better practices in place elsewhere?
  - d. Do IPR and CRC have the key features to impact and improve police services? Are there better practices in place elsewhere? Are the IPR and CRC using these features effectively?
  - e. Is there evidence of the Police Bureau making improvements as a result of IPR and CRC efforts? Are there better practices in place elsewhere?
  - f. Do IPR and CRC have the key features to improve public trust and credibility in police accountability? Are there better practices in place elsewhere?

Pursuant to the Portland Work Plan, it was agreed between the City of Portland and Eileen M. Luna-Firebaugh would proceed according to the following Timeline. This timeline was revised, from that originally included in the Response to Proposal on August 18, 2007, pursuant to an agreement between the Mayor's Office and Eileen Luna-Firebaugh. This revision was made as the contract was not promulgated and signed until July 16, 2007.

## Part I. Revised Study Timeline of Study August 15, 2007:

**July 16, 2007**

### **Beginning of Work**

**July 2007**

Conduct preliminary research

- Review the demographics of the City of Portland
- Determine and contact any relevant community groups
- Review relevant alternative models of civilian oversight
- Review any letters of complaint regarding the handling of investigations/appeals, pertinent news coverage and/or municipal responses to outstanding issues of police misconduct.
- Develop a cover letter for the survey of complainants.
- Develop a cover letter for the survey for City of Portland Police Officers

### **All completed**

**July 15-21, 2007**

First site visit to Portland (5 days on site, two travel days).

- July 15, Meeting with Project Manager, Maria Rubio, Setting up meetings with stakeholders.
- July 16, Meetings with Mayor Tom Potter, Obtain Mayor's review of survey forms and letters, and work plan/timeline; Auditor Gary Blackmer, CRC meeting. Review Auditor files of complaints, review investigation regulations, policy recommendations.
- July 17-20 Conduct individual meetings with City administration, Chief of Police, City Council, CRC members, IPR and investigative staff, POA, Police command staff, City Attorney, Risk Manager and some community groups regarding their satisfaction with the CRC and IPR and any specific concerns they might have.
- Set up meetings with all stakeholders, Police squad room meetings, and community group meetings. (Some meetings with individuals occurred more than once, others did not occur during this time period)
- Set up Police squad room meetings and community group meetings for July 28-Aug 3. (Some of these meetings did not occur during this time period)
- Get list of all complainant's names and addresses whose complaints were reviewed by the IPR during the period from 2001-2007

**July 23-27, 2007**

Work Week in Tucson

- Review all regulations and policy recommendations obtained during site visit.
- Send complainant letters/surveys (This work was completed in August).
- Transcribe all notes/tapes from interviews and meetings (Transcription is on-going to date)

**July 28-Aug. 3, 2007**

Second site visit to Portland (7 days on site including weekend, two travel days)

- Meet with community groups to determine their level of satisfaction with the Office of Independent Police Review division and the CRC as related to access, approachability, and treatment of complainants, witnesses, officers, police command staff, and other involved or supportive parties. Also determine the level of satisfaction with the handling, investigation, impartiality, timeliness, review and outcome of complaints. complaints (Community group meetings have continued to date)
- Conduct meetings with Police rank and file personnel to introduce the study and study team, and to distribute and collect surveys for East, Central, SE Precincts and Evening Traffic. (This work was completed in August).

**August 6-31, 2007**

Work in Tucson for the Month of August.

- Transcribe all notes/tapes from interviews and meetings (Transcription is on-going to date)
- Prepare spread sheets for analysis of police and complainant surveys.
  - Send complainant letters/surveys.
  - Assess the IPR for compliance with its directives from City Council; review City Council minutes and agendas, review minutes and agendas of IPR.
  - Ascertain if there are any relevant groups or individuals who have not been interviewed, and schedule interviews for those previously omitted.
  - Review the investigation of all complaints filed with the IPR during the target period; establish time line for all complaints. Review the disposition of all complaints. Request the study/implementation history of all IPR/CRC policy/procedures recommendations. (On-going at this time.)
  - Do in depth study of complaint sample.
  - Assess the timeliness, impartiality and thoroughness of citizen generated complaint investigations and IPR review.

**September 2007**

Site visit to Portland, Oregon, late in month (1 site visit of 3-5 days, including weekend) (This site visit was completed during the first week in October)

- Conduct individual meetings with some City Council members, some CRC members, City Attorney, Risk Manager.
- Review the investigation of IPR complaints conducted by IAD during the target period; establish time line for all complaints. Review the disposition of all complaints.
- Ascertain the level of training, and if possible observe the training given to investigators of citizen-generated complaints. (This item has yet to be completed)
- Hold community groups meetings to allow a follow-up opportunity to take note of any concerns they may have about the IPR

- Conduct meetings with Police rank and file personnel to introduce the study and study team, and to distribute and collect surveys for North Precinct and Days Traffic.

#### Work in Tucson

- Hire Research Assistant (Two undergraduate students and three graduate students from the American Indian Studies Program have been hired. Two of the three graduate students are studying for Master's degrees; one is a PhD student who was previously a California police officer. Three are American Indians, two are non-Indians; four are women, one is male)
- Transcribe and review all information received in focus groups and individual interviews. (On-going at this time.)
- Assess the handling of appeals of PPD investigations for all publicly generated complaints, particularly as to timeliness and impartiality.
- Schedule community groups meetings to allow a follow-up opportunity during December site visit to take note of any concerns they may have about the IPR
- Conduct follow-up contacts with survey respondents who have not returned the surveys.
- Review and tabulate complainant and police survey responses.
- Analyze data obtained from surveys
- Analyze data obtained from interviews.
- Prepare interim report with people contacted and tasks accomplished.

#### October 2007

##### Work in Tucson

- Conduct follow-up on citizen complaint survey respondents who have not returned the surveys.
- Continue to analyze data obtained from interviews and surveys.
- Begin draft of Final Report

#### Interim Report October 20, 2007

#### November 2007

##### Work in Tucson

- Continue work on Final Report
- Determine if any significant stakeholders or community groups have not been contacted and/or interviewed.
- Make contacts with any omitted significant parties and attempt to interview by phone, or to obtain a written statement.
- Contact City administration, stakeholders and community groups to ascertain if there is pertinent information needed that has not been obtained previously.

#### December 2007

##### Early December Site visit to Portland, Oregon (3 days)

- Discuss process of the study, the groups interviewed, and the documents reviewed with the City administration and community groups.

- Request input regarding any relevant information that may have been missed.
- Finish final draft of the report.

**January 15, 2008 Final Report submitted to the City of Portland**

**PART II: Narrative of work activities since July 16, 2007**

The research team has engaged in the following activities to date:

1. Development and circulation of surveys to citizen complainants. All comments written by surveyed complainants on the survey forms are being transcribed for analysis and selected inclusion in the Final Report.
2. Development and circulation of surveys to all precincts and patrol shifts of the Portland Police Department: Central, Southeast, East, North, and Traffic. All comments written by surveyed Police Bureau personnel on the survey forms are being transcribed for analysis and selected inclusion in the Final Report.
3. Review of tapes of CRC meetings and of data reports provided by IPR and community groups.
4. Review of materials from civilian oversight agencies nationwide.
5. An evaluation was made of one of every 10 IAD Investigations; one of every 50 IPR Investigations; and one of every 10 IPR Rapid Dismissals. The investigations were assessed to determine the following characteristics: Adequacy of Investigation; Whether the Complainant, Witnesses and/or Officers were interviewed; I.A.D. Slant; Whether the Communication Center tapes and/or C.A.D were reviewed; and Procedural and Legal issues were considered.

The following interviews and communications have occurred and are being transcribed for analysis and inclusion in the Final Report.

6. On site interviews of city administration, community activists, IPR employees and police administration. Meetings with community groups, and attendance at CRC and Task Force meetings.
7. Follow-up telephone interviews to complainants and officers.
8. E-Mail communications with complainants and officers.

Preliminary Citizen Complainant survey data have been tabulated, as has Police Survey data from the Central Precinct. The detailed information is attached as Appendix A (Citizen Complainant Surveys) and Appendix B (Police survey information from Central Precinct). A complete list of all meetings and interviews is attached as Appendix C. Appendix D includes a list of all groups and individuals met or interviewed to date.

In October, 2007, the IPR provided us with Excel Data on 3266 complaints closed between 1/1/02 and 6/30/07. As many complaints included a number of allegations, there were 10,974 allegations with dispositions. We are in the process of analyzing this data.

**1. Summary of Citizen complainant surveys**

The IPR gave us an excel list of Citizen Complainants which included 4,387 names. This list included many names:

- that were duplicates due to multiple complaints,
- that did not have addresses
- anonymous complainants

This list of 4387 names was reduced down to 3295 actual mailable names and addresses. Those 3295 names were sent Citizen Complaint Surveys in August of 2007.

Initial results from the Returned Complainant Surveys:

325 surveys were by October 15, 2007. Not all questions were answered on every survey. In addition more than 50 complainants called the consultant and were interviewed in depth. The citizen complainant surveys have been preliminarily tabulated as to demographics and four questions: Did you appeal your complaint decision? Did you mediate your complaint? Were you satisfied with the outcome of that appeal? Were you satisfied overall with the complaint process?

Preliminary analysis: (See attached Appendix A for detailed analysis)

2001-2002

0% appealed

0% mediated

10% overall satisfied with the civilian complaint investigation process

2003

4 % appealed (1) (less than ½ of a percent)

16 % (3) mediated with 33% (1) complainant satisfied with the process

20% (7) overall satisfied with the civilian complaint investigation process

2004

9% appealed (3)

36% mediated (11) with 36% (4) complainants satisfied with the process

27% (14) overall satisfied with the civilian complaint investigation process

2005

0% appealed (No one)

23% (5) went to mediation, with 60% (3) satisfied with the process

26% (11) Overall satisfied with the civilian complaint investigation process

2006

15% appealed (5)

16% (5) went to mediation, with 50% (5) satisfied with the process

22% (13) satisfied with the civilian complaint investigation process

2007 (through July 2007)

12 % appealed (3)

18% (4) went to mediation, with 2 satisfied

28% (13) overall satisfied with the civilian complaint investigation process

Those individuals who did not return surveys, and whose phone numbers are listed in the IPR list, will be contacted by phone during the months of October and November, 2007.



Complainants Survey results received to 9/30/07:
--

Overall Satisfaction with complaint process by year:

2001-2002	10 % of complainants were satisfied.
2003	33% of complainants were satisfied.
2004	27% of complainants were satisfied.
2005	26 % of complainants were satisfied.
2006	22% of complainants were satisfied.
2007 (to July)	28% of complainants were satisfied (to date).

Use and Satisfaction with Mediation Process:

Mediation by year:	Mediation used	Satisfied with Mediation
2001-2002	0 % used mediation	Of these - 0 % were satisfied
2003	16 % used mediation	Of these - 33 % were satisfied
2004	36 % used mediation	Of these - 36 % were satisfied
2005	23 % used mediation	Of these - 60 % were satisfied
2006	16 % used mediation	Of these - 50 % were satisfied
2007 (to July)	Incomplete data	Incomplete data

## Police Survey Data

### Initial Results from the Surveys returned from members of the Portland Police Bureau:

295 Police surveys were returned by October 15, 2007 from Patrol Officers and Patrol Supervisors (Sergeants and Lieutenants). Not all questions were answered on every survey. In addition 3 officers called the consultant and were interviewed in depth. The police complaint surveys have been preliminarily tabulated. The information below results from the data received from Central Precinct as to the answers to four questions: Did you appeal your complaint decision? Did you mediate your complaint? Were you satisfied with the outcome of that appeal? Were you satisfied overall with the complaint process?

Preliminary analysis: (See attached Appendix B for detailed analysis)

#### APPEALS:

- Only 5 complaints were sustained --- of these --- the question asked was "were you told you had the right to appeal?" Yes = 1 No = 4
- Did you appeal the decision regarding this complaint? Yes = 1 ; No = 4
- Civilian Review Committee: No one answered questions about a CRC appeal --  
- apparently no officer did a CRC appeal.

#### MEDIATION:

- Mediation: Officer satisfied = 1 ; In Process = 1

#### OVERALL SATISFACTION:

- The outcome was what I deserved. Yes = 24; No = 6 ; No answer = 18 (Note: Almost all "yes" answers were for people whose complaint was classed as "unfounded, insufficient evidence or exonerated." Most "no" answers were from people who has "sustained" complaints against them

#### PRELIMINARY OBSERVATIONS OBTAINED TO DATE:

While a detailed analysis has not yet been done it is possible at this time to make the following observations:

##### 1. Portland Survey Information

- In general, the complainants are unsatisfied with the civilian complaint investigative process.
  - The complainants are very unhappy with the lack of timeliness of their investigations
  - The complainants are very unhappy with the lack of notification about the progress of their investigations and the outcome of their complaints.
- In general, police officers are unsatisfied with the complaint civilian complaint investigative process.
  - The police officers are most unhappy with the timeliness of the notification that a complaint has been filed against them
  - Officers are unhappy about the lack of notification that a complaint has been filed against them.
  - They are split evenly as to whether the Internal Affairs investigation is biased.

- They believe that the administration of the complaint process has improved in recent years
  - Police officers are evenly split as to whether they believe that citizens can competently review police complaints
  - The surveyed officers were asked the following question "The consequences of the civilian complaint that most concerned me was: Discipline; Civil Suits; Reprimands; Tarnished Reputation; None" More than half of the police officers who responded from Central Precinct (26 of 48) answered 'None' in response to this question.
2. A comparison of the Portland IPR and the San Jose IPA
- The City of San Jose, California has an independent police auditor system which is similar to the independent police review in Portland. The IPA reviews investigations done by internal affairs but unlike Portland has no independent investigative authority. The IPA produces an Annual Report each year that specifies complete complaint data. The Quarterly Reports issued by the IPR discuss a sample of complaints but do not specify basic data such as sustain rates for all complaints or for specific allegations.
  - The San Jose IPA is an auditor model as is the Portland IPR
  - The city of San Jose employs 1,335 police officers, of which 217 received complaints in 2006. The city of Portland employs about 1000 police. Portland officers received 789 complaints in 2006 of which 183 went through "rapid response," i.e., immediate dismissal without investigation and 270 were declined (also without investigation).
  - The San Jose IPA produced an Annual Report for 2006. The Portland IPR last published an Annual report in 2004. When queried, the IPR and IAD were able to provide the following information (See Appendix C)
    - For 2006, based on data provided from the IPR, the City of Portland IPR received a total of 721 complaints. This number includes 538 'C' cases and 183 'R' [Rapid dismissal] with a total of more than 1500 allegations.
    - Of the total of 721 complaints 8 were ultimately sustained, which results in an overall sustain rate of approximately 1%.
    - The City of San Jose IPA received a total of 358 external complaints. Of this 11 were sustained which results in an overall sustain rate of 3%.
    - If only those cases referred for full investigation are considered, this sustained rate changes. In 2006 the IPR referred 207 for IAD investigation. If this IPR number is used, the sustain rate (8 cases out of 207) results in a 4% sustain rate. The same comparison of numbers in San Jose (11 cases out of 116) results in a sustain rate of 9%.
    - The City of San Jose IPA has the other following specific disposition results:
      - 12% not sustained (insufficient evidence)
      - 23% exonerated
      - 6% unfounded

<p>Appendix A  <b>PROGRESS REPORT - CITIZEN COMPLAINANT SURVEY DATA AS OF 9/29/07</b></p>
---

The IPR gave us an excel list of Citizen Complainants which included 4,387 names, addresses, etc. This included many names:

- that were duplicates because of multiple complaints,
- that did not have addresses
- anonymous complainants

The 4387 names were whittled down to 3295 actual mailable names and addresses. Those 3295 names were sent Citizen Complaint Surveys in August of 2007.

Of those 3295 surveys sent, to date we have had the following results:

- 887 surveys were "returned to sender" because the addressee or the address made it not deliverable and not forwardable;
- Number of non-deliverable surveys to date represents about 30% of the sent surveys; (i.e., 887 not deliverable; 66 forwarded – no return; 3 dead; 20 prisoners = 976 out of 3295)
- 3 of the complainant surveys were returned because the persons were dead,
- 66 were returned but with a re-forwarding address on the envelope and so these were sent out again to the newer address;
- 20 were prisoners who were not allowed to receive their surveys because it contained a self-addressed stamped envelope (which apparently violates some state prison rule);
- There are 1994 surveys not yet returned.

Returned surveys:

- 325 surveys were returned with most questions answered --- many of these with attached letters and documents explaining their case in detail. In one instance, we received a box of legal documents for an ongoing lawsuit;
- In addition to the returned surveys, more than 50 complainants have called and been interviewed by Eileen. The information in this preliminary progress report does not reflect the information obtained from those interviews.
- This number (325 contacts out of the possible responders to date) is a statistically valid random response of 16 percent ; ) i.e., 976 not deliverable, prisoners or dead out of 3295 surveys sent = 1994 possible responders).
- 136 of the completed surveys are from women;
- 189 of the completed surveys are from men;
- We had one call that was rude, obnoxious, accusatory and somewhat threatening.
- Three or four people returned surveys with "this is a waste of time", "too long ago," or accusing us of some kind of "scam."

Those persons with telephone numbers who did not return surveys will be called personally.

DATA REGARDING SURVEY RESPONSES TO SELECTED BASIC QUESTIONS BY YEAR (as of 9/30/07);

Citizen's satisfaction survey questions from returned surveys for 2001-2002. (IPR instated 2002.)

Question #41 (Did you appeal?):

Yes= 0

No= 5

No answer = 11

Question #50 (Did you mediate?):

Yes= 0 (0 % went to mediation)

No= 6

No answer = 10

Question #57 (If mediated – were you satisfied?):

Yes=

No=

No answer =

Question #58 (Overall, were you satisfied with the civilian complaint process?):

Yes= 1 (10% satisfaction rate)

No= 10

No answer = 5

Citizen's satisfaction survey questions from returned surveys for 2003.

Question #41 (Did you appeal?):

Yes= 1

No= 23

No answer = 16

Question #50 (Did you mediate?):

Yes= 3 (16% went to mediation)

No= 15

No answer = 22

Question #57 (If mediated – were you satisfied?):

Yes= 1 (33% are satisfied with process)

No= 2

No answer =

Question #58 (Overall, were you satisfied with the civilian complaint process?):

Yes= 7 (20% satisfaction rate)

No= 28

No answer = 4

Citizen's satisfaction survey questions from returned surveys for 2004.

Question #41 (Did you appeal?):

Yes= 3

No= 29

No answer = 25

Question #50 (Did you mediate?):

Yes= 11 (36% went to mediation)

No= 19

No answer = 27

Question #57 (If mediated – were you satisfied?):

Yes= 4 (36 % satisfied)

No= 7

No answer = 0

Question #58 (Overall, were you satisfied with the civilian complaint process?):

Yes= 14 (27% satisfied)

No= 38

No answer = 5

Citizen's satisfaction survey questions from returned surveys for 2005.

Question #41 (Did you appeal?):

Yes= 0

No= 22

No answer = 26

Question #50 (Did you mediate?):

Yes= 5 (23% went to mediation)

No= 17

No answer = 26

Question #57 (If mediated – were you satisfied?):

Yes= 3 (60 % satisfied)

No= 2

No answer = 0

Question #58 (Overall, were you satisfied with the civilian complaint process?):

Yes= 11 (26% satisfied)

No= 32

No answer = 5

Citizen's satisfaction survey questions from returned surveys for 2006.

Question #41 (Did you appeal?):

Yes= 5

No= 29

No answer = 41

Question #50 (Did you mediate?):

Yes= 5 (16% went to mediation)

No= 26

No answer = 44

Question #57 (If mediated – were you satisfied?):

Yes= 1 (50% satisfied)

No= 1

No answer = 3

Citizen's satisfaction survey questions from returned surveys for 2007 (through July).

Question #41 (Did you appeal?):

Yes= 3

No= 22

No answer = 28

Question #50 (Did you mediate?):

Yes= 4 (18% went to mediation)

No= 18

No answer = 29

Question #57 (If mediated – were you satisfied?):

Yes= 2

No= 0

No answer = 2

Question #58 (Overall, were you satisfied with the civilian complaint process?):

Yes= 13 (22% satisfied)

No= 47

No answer = 16

Question #58 (Overall, were you satisfied with the civilian complaint process?):

Yes= 13 (28% satisfaction rate to date)

No= 33

No answer = 7

Complainants Survey results to 9/30/07:

Use and Satisfaction with Mediation Process:

Mediation by year:	Mediation used	Satisfied with Mediation
2001-2002	0 % used mediation	Of these - 0 % were satisfied
2003	16 % used mediation	Of these - 33 % were satisfied
2004	36 % used mediation	Of these - 36 % were satisfied
2005	23 % used mediation	Of these - 60 % were satisfied
2006	16 % used mediation	Of these - 50 % were satisfied
2007 (to July)	Incomplete data	Incomplete data

Overall Satisfaction with complaint process by year:

2001-2002	10 % of complainants were satisfied.
2003	33% of complainants were satisfied.
2004	27% of complainants were satisfied.
2005	26 % of complainants were satisfied.
2006	22% of complainants were satisfied.
2007 (to July)	28% of complainants were satisfied (to date).

Appendix B

NOTE: 295 Police surveys have been completed as of 10/15/07. The following information is from the 69 surveys from Central precinct. Not all officers did, or were able to, answer all questions. These results reflect those that did answer the question asked.

Police Survey Selected Questions - Central Precinct only

- Age: 24 OR UNDER = 2    25-34= 21    35-44= 34    45-54= 8    55-64= 3    65 or older= 0
- Gender: Male= 56    Female= 13
- Ethnicity: African American=2 Asian American=3 Caucasian/White=63 Hispanic/Latino=0 Native American/Alaska Native=0 - Other=1
- Education: High School Graduate only=0 some College= 18 College Graduate=52 Advanced Degree= 1
- Years with Portland Police: 1 year or less = 1 1 - 3 years= 11 4 - 6 years= 9 7 - 10 years= 19 11 - 15 years= 13 16 or more years= 15.
- Rank: Precinct? Central Rank? Officer = 57 ; Sergeant = 8 ; Lieutenant = 1 ; Other = 2 Detectives and 1 Precinct Commander

PART # 2 - COMPLAINT: What is your experience with citizen complaints? (Circle as appropriate)

1. Have you been the subject of a citizen complaint in the last 6 years? Yes = 48 No = 21
2. In what year(s) were you the subject of a complaint? (2001 = 3) ; 2002 = 9 ; 2003 = 11 ; 2004 = 13 ; 2005 = 10 ; 2006 = 23 ; 2007 (to July) = 13
3. If yes, how many times have complaints been filed against you? 1 - 2 = 28 ; 3 - 4 = 12 ; 5 or more = 8

(If more than one complaint has been filed against you, please answer the remaining questions using the most recent complaint)

Force = 20	Control Techniques = 5	Conduct = 27	Disparate Treatment = 2	Courtesy = 12	Procedure = 17
For example, excessive or inappropriate physical or deadly physical force.	For example, control holds, hobble, "take downs," and handcuffing.	For example, unprofessional, unjustified, beyond the scope of their authority, e.g., improper stop and/or detention.	For example, inappropriate actions or comment related to race, sex, age, national origin, sexual orientation, economic status, political views, religious beliefs, or disability.	For example, rude or discourteous conduct,	For example, failure to follow proper police policies and procedures.

Were you promptly notified of the complaint? Yes = 22 No = 25

Complaint process clearly explained? Yes = 27 No = 21

How was the Complainant investigation handled?

- Investigation fairness? IPR Yes = 0 No = 2 - IAD Yes = 22 No = 2 (Note: beyond intake, it appears IAD does all investigations.)
- Mediation: Officer satisfied = 1 ; In Process = 1
- Service complaint = 5 ; Not notified = 8
- Declined Complaint (IPR? IAD?) = 15

What were the disposition(s) / finding(s) of the allegations in your complaint?

SUSTAINED = 5	INSUFFICIENT EVIDENCE = 2	UNFOUNDED = 17	EXONERATED = 13
Investigation disclosed sufficient evidence to clearly prove the allegation made in the complaint. Force - Control Technique - Conduct - Disparate Treatment - Courtesy - Procedures	Investigation failed to disclose sufficient evidence to clearly prove or disprove allegation. Force - Control Technique - Conduct - Disparate Treatment - Courtesy - Procedures	Investigation proved actions complained of did not occur, or named officer was not involved. Force - Control Technique - Conduct - Disparate Treatment - Courtesy - Procedures	Incident occurred as alleged, but the officer's actions were justified, lawful and proper. Force - Control Technique - Conduct - Disparate Treatment - Courtesy - Procedures

Note: IAD investigations are considered fair by the officers.

1. Were you notified of the outcome? Yes = 33 ; No = 13 ; No answer = 3
2. Only 5 complaints were sustained --- of these --- the question asked was "were you told you had the right to appeal?" Yes = 1 No = 4
3. Did you appeal the decision regarding this complaint? Yes = 1 ; No = 4
4. The consequences of the civilian complaint that most concerned me was:  
Promotion = 7 ; Affects my conduct = 12 ; Discipline = 10 ; Civil Suits = 4 ; Reprimands = 4 ; Tarnished Reputation = 11 ;  
No Concerns (or NA) = 26 ; (However, some officers marked one or more concerns = 22)
5. Civilian Review Committee: No one answered questions about a CRC appeal --- apparently no officer did a CRC appeal.

Officers with complaints:

1. Internal Affairs investigates complaints in a timely manner. Yes = 11; No = 30; No answer = 7
2. Internal Affairs investigates all complaints in an unbiased manner. Yes = 21; No = 21 ; No answer = 5
3. Administration of the complaint process has improved in recent years. Yes = 23 ; No = 13 ; No answer = 13
4. The outcome was what I deserved. Yes = 24 ; No = 6 ; No answer = 18 (Note: Almost all yes answers were for people whose complaint was classed as "unfounded, insufficient evidence or exonerated." Most no answers were from people who had "sustained" complaints against them)

All officers responding:

1. Citizens can competently review police complaints. Yes = 23 ; No = 21 ; No answer = 25



Appendix C  
2006 IPR Citizen Complaint Records

IPR provided (in Excel) the data for all complaints since 2001-2007. From that data, the 2006 cases were culled for the Interim Report. There were 721 complaints in 2006. The breakdown of these complaints is as follows:

- 183 (or 25 %) of the complaints were coded "R" for rapid dismissal.
- An additional 238 (or 33%) of the complaints were declined for various reasons (\*see below for specifics).
- More than 60 % of the complaint allegations were declined by IPR and IAD. Overall, less than 30% of the citizen complaints against the police were referred to the police (IAD) for investigation.

0---Declined by IAD	7---IPR Dec-Other-Refer
74---Exonerate	3---IPR Dec-Prev Adj
21---Exonerate w/debriefing	0---IPR Dec-Untimely > 1 Year-Refer
4---IAD Admin-Officer Resigned	2---IPR Dec-Untimely > 6 Mo-Refer
0---IAD Admin-Other	2---IPR Dec-Untimely > 6 Mo-Refer
46---IAD Admin-Refer to Prec Cmdr	0---IPR Dec-Untimely > 60 Days-Refer
0---IAD dec w/debriefing	8---IPR Dec-UTI-Refer
13---IAD Dec-CO Unavailable	10---IPR DM-3rd Party Complainant
4---IAD Dec-CO Withdraws	33---Mediation
3---IAD Dec-False Claim	0---Miscellaneous
27---IAD Dec-In Policy	12---Precinct Service complaint
10---IAD Dec-Invest Unwarranted	0---RD-Failed to Complete
2---IAD Dec-Lack Resources	0---RD-False or Grossly Illogical/Improbable
82---IAD Dec-No Misconduct	0---RD-Lack Jurisdiction
17---IAD Dec-Not Credible/Reliable	0---RD-Minor Co >1 Year-Untimely
2---IAD Dec-Other Judicial Review	0---RD-No Misc-Complied with Policy
1---IAD Dec-Other Jurisdiction	0---RD-No Misc-Policy Complaint
0---IAD Dec-Other Remedy	3---RD-Ofc Retire/Resign-Minor Co
0---IAD Dec-Trivial or Deminimus	0---RD-Ofc UTI-Minor Co
0---IAD Dec-UTI Officer	0---RD-Other Judicial/Admin Rev-Minor Co
0---IAD Investigation	0---RD-Resolved
0---Inquiry	0---RD-Withdrawn
11---Insuff Evid w/debriefing	0---Refer to CHO
33---Insufficient Evidence	0---Refer to CIT
170---IPR Dec-Comp Unavailable	1---Refer to IAD
82---IPR Dec-Comp withdraws	1---Referral PPB Non-Sworn
35---IPR Dec-De minimis-Refer	12---Referral to other agency
25---IPR Dec-False or trivial claim	12---Referral to Prec Cmdr
21---IPR Dec-Filing delay	18---Resolved at Intake
0---IPR Dec-Lack Resources	225---Service complaint
12---IPR Decline-UTI Officer	0---Suspend
263---IPR Dec-No misconduct	0---Suspended
62---IPR Dec-No Misc-Refer	7---Sustained
20---IPR Dec-Not Reliable	64---Unfounded
3---IPR Dec-Not Reliable-Refer	10---Unfounded w/debriefing
61---IPR Dec-Other judicial review	1---Unproven
14---IPR Dec-Other remedy	

Further analysis of the IPR data indicates the following (by allegation):

- 7 (or less than 1%) were sustained\*
- 33 (or 02%) were listed as "mediation."
- 237 (or 16%) were listed as "precinct service complaints and service complaints."
- 44 (or 3%) were insufficient evidence including with debriefing.
- 95 (or 6%) were exonerated or exonerated with debriefing.
- 74 (or 5%) were unfounded or unfounded with debriefing.

\*IPR related that 8 of these cases were sustained or 4% of the 207 cases sent to IAD.

However, it is far more common for civilian oversight agencies to count the number of sustained dispositions for all complaints received. Thus 8 is 1% of the 721 citizen complaints received by the IPR in 2006.

---

Data for all years 2002-2007 (July) will be included in the final report.

The data we receive from returned surveys by police officers and citizen complainants gives us insight into their particular cases and their attitudes about those cases, but it does not give us overall specific data on dispositions.

In order to make comparisons with other cities with civilian oversight mechanisms, we have contacted Capt. Tellis (IAD) and Leslie Stevens (IPR director) for information related to the disposition of allegations, including Sustained, Insufficient Evidence, Unfounded or Exonerated. This information has now been obtained in the form of IPR data and case investigation analyses. This information will be included in the final report.

---

**Contact / Interview / Call List 10/15/07**

## IPR

Michael Hess  
Leslie Stevens  
Steve Morrow  
Judy Taylor  
Pete Sandrock  
Merlin Juilfs  
Lauri Stewart  
Gary Blackmer

## E-MAILS:

16 on computer in depth messages.  
96 E-mail contacts

---

## CRC

Hank Miggins  
Marcella Red Thunder

PPB (including IAD)  
Chief Rosanne Sizer  
Asst Chief R. Beard  
Cpt. John Tellis  
Sgt. M. Marshman  
Michael Barkley  
Rachael Andrew  
Roger Axthelm  
Denise Wesson

## PORTLAND POLICE ASSN.

Robert King

## COMMUNITY (officials / activists)

Jane Ames  
Comm. Leonard  
TJ Browning  
Anna Harrington  
Dan Handelman  
Alejandro Queral  
Nichole Mayer  
Colin McCormack

## GROUPS

CRC meeting  
Immigration & Refugee Task Force  
Racial Profiling Task Force  
Oregon Action  
Copwatch  
League of Woman Voters  
NWCLC  
NAYA  
Jean's Place