

# COMPLIANCE AND OUTCOME ASSESSMENT REPORT

by the  
COMPLIANCE OFFICER AND COMMUNITY LIAISON (COCL)  
January-March, 2019

PCCEP Townhall, April 23, 2019

# Focus of this Report

- Paragraphs where City/PPB has yet to achieve Substantial Compliance
- Conditions that would need to be fulfilled for the COCL to grant Substantial Compliance
- We review these “COCL Conditions” and describe the “Current Status” of these areas where work remains to be done

# Use of Force (Opening Paragraph and 67a)

- Conflation of De-Escalation and Command-and-Control Tactics
- 2018 In-Service Training
- Documents released by Inspector
  - Third set recently released
- Ongoing Inspector review
- COCL review of use of force events
  - Issues largely resolved
- Suggest PPB continue to evaluate intersection of traditional tactics and de-escalation

# Use of Force (Par. 66a, 67d)

- Reasonableness and Accountability
- Training and expansion of Inspector Audit – evaluation of impact
- 20 random use of force events
  - Totality of circumstances rather than moment of force
  - Single case we found had already been forwarded to Training Division
- Prior concern – Attempted CEW
  - Directive 1010.00 revised

# Use of Force

- 68f
  - Training officers with CEW dummy
  - Completed in 2018 In-Service
- 73a
  - Consistent inclusion of EIS information
  - January 2019 email of required content
  - SOP #49 requires Inspector review of PDT entry
- 73b, 73d, 76
  - Inspector identified deficient officers and chain-of-command reviewers and corrected
  - System operating as intended

# Use of Force (74, 75, 77)

- Force Audit – Use of Formal Feedback System for Identified Issues
- Inspector used email- and Excel-based feedback system
  - Requires others to access Inspector's email
- PPB should use formal “Audit Action Item Report” form
  - Has recently begun though we will need to see consistent use in this quarter

# Training (Par. 81, 84, 85)

- Settlement agreement produced significant change in PPB training:
  - Improved training for recruits, officers, supervisors and command staff
  - Force decision making, de-escalation and procedural justice
- Remaining Training Conditions:
  - Par. 81: Create an electronic database to capture all training records (LMS); Supervisor must review this database at least semi-annually (***Complete***)
  - Par 84(a)(i): Increase the use of role-playing scenarios and interactive exercises related to force, ethical decision making, and peer intervention (***In progress***)
  - Par. 85: Inspector must audit the training program using seven performance standards (***Complete***)

# Crisis Intervention (Par. 99 and 115)

- Crisis Response and Fully Operational BOEC Crisis Triage
- 2018 – City expanded criteria and provided BOEC training
- 6-month evaluation of expanded criteria
  - Outcome differences between ECIT and non-ECIT remained
  - Believe BOEC training could have broadened definition of “risk”
- Recommended supplemental BOEC training
  - Held this month
  - When in doubt, send them out
- Other areas functioning well
  - Audit results – BOEC, ECIT response, Ability to identify MH component
- Portland Model variation of Memphis Model but responsive to initial concerns that led to SA



# Crisis Intervention (Par. 105)

- Mental Health Template
- Ensuring accurate completion
  - October of 2017 – nearly 1/4 of Mental Health CAD Response was “Unanswered”
- 2018 Supervisor In-Service on MHT and requirements
- Unified BOEC and PPB dataset corrects inconsistencies
- Since March of 2018, far fewer unanswered
  - Consistency

# Employee Information System (Par. 116 and 117)

- 116a, 116b, 116c Reviews
  - Consistent compliance (over 97%) for 2018 Q3 and Q4
- Compliance similar across Precincts/Units
- Systematic review of EIS alerts, forwarding processes, and interventions
  - Force interventions increased (19.6% o 33.7%)
  - Complaint alerts forwarded and receive intervention
- SOP #47 memorializes Par. 117 process
  - Results discussed with RU and RU must give response
- Risk Management process continues

# Accountability (Par. 121)

- 2018 Q4 Report – Not able to evaluate improvement in 180-day timeline
- Improvement in stages
  - IPR Assistant Director
  - IPR Intake Investigation
- Not all cases may reasonably be expected to be completed under 180-days

Responsible Party	Stage	Prior Report (September 2017 through September 2018)		Present Report (October 2018 through February 2019)	
		Not Overdue	Overdue	Not Overdue	Overdue
IA	IA Assignment	77.3% (N=198)	22.7% (N=58)	79.3% (N=73)	20.7% (N=19)
	IA Investigation	78.1% (N=125)	21.9% (N=35)	73.0% (N=46)	27.0% (N=17)
	Administrative Processing	89.8% (N=158)	10.2% (N=18)	84.4% (N=92)	15.6% (N=17)
	IA Command Review	90.3% (N=438)	9.7% (N=47)	89.2% (N=264)	10.8% (N=32)
IPR	IPR Intake Investigation	51.0% (N=224)	49.0% (N=215)	69.4% (N=100)	30.6% (N=44)
	IPR Expanded Intake	76.4% (N=42)	23.6% (N=13)	77.3% (N=17)	22.7% (N=5)
	IPR Investigation	57.9% (N=11)	42.1% (N=8)	54.5% (N=12)	45.5% (N=10)
	Mediation	40.0% (N=4)	60.0% (N=6)	100% (N=3)	0% (N=0)
	IPR Management Review	74.2% (N=313)	25.8% (N=109)	77.5% (N=220)	22.5% (N=64)
	IPR Administrator	69.2% (N=9)	30.8% (N=4)	100% (N=3)	0% (N=0)
	IPR Assistant Director	36.9% (N=100)	63.1% (N=171)	62.7% (N=64)	37.3% (N=38)
	IPR Director	82.6% (N=100)	17.4% (N=21)	87.8% (N=36)	12.2% (N=5)

# Accountability (Par. 128)

- Issues that remained
  - System Complaints and Allegation Formation
  - Volume/Length of Time to Complete SI
  - SI vs. SIO Process (Disciplinary Feel)
- For all issues, PPB and IPR report steps already taken – COCL must independently verify

# Community Engagement and Creation of PCCEP: Progress Overall

- City recruited, selected, and staffed PCCEP
- PCCEP participated in training and team building
- PCCEP created organizational structure (with 5 subcommittees), bylaws, and group values
- PCCEP has held regular meetings and townhalls
- PPB has engaged marginalized and at-risk communities independent of the PCCEP

# Community Engagement: PCCEP Progress (Par. 142, 151)

- Par. 142: Continue to hold regular meetings (*in progress*); complete the work required in the PCCEP Plan (*in progress*), and develop a working relationship with the PPB, including contributing to PPB's Community Engagement Plan (*in progress*) – e.g. March PCCEP meeting
- Par 151: PCCEP meetings have followed Oregon Meetings Law; City has provided legal advice (*complete*)
- Status of PCCEP subcommittees is uncertain, but not required to achieve Substantial Compliance (Completion of tasks in the PCCEP Plan is what matters)

# Progress on PCCEP Plan

- Hold public hearings or town halls (at least 2) to consult with community members (**complete**)
- Meet quarterly with Director of City's Office of Equity and Human Rights and PPB's Manager of Equity & Diversity, including a review of PPB's Racial Equity Plan (**in progress**)
- Meet twice per year with Chief, Police Commissioner, PPB Precinct Commanders, PPB Neighborhood Response Teams, and Office of Neighborhood Involvement Crime Prevention (**in progress**)
- For PPB's Community Engagement Plan, suggest strategies to ensure greater public outreach and engagement (**in progress**)
- Prepare summary reports on community concerns and recommendations – typically around the public town halls (**in progress** – First quarterly report complete)



# Community Engagement: City/PPB Progress (Par. 144, 145, 146)

- Par. 144: City will hire a Project Director to assist PCCEP (*in progress*)
- Par. 145: PPB will develop a working, transparent relationship with the PCCEP and develop a reasonable Community Engagement Plan with input from PCCEP (*in progress*); PPB will enhance it's community engagement in general(*complete*)
- Par. 146 : City will conduct a community-wide survey (*complete*); prepare a report on the results (*in progress*); distribute the results to “inform the work of the PCCEP” (*not yet*) and “inform...the development and implementation of the Community Engagement Plan.” (*not yet*).

# Community Engagement: City/PPB Progress (Par. 147, 148, 149)

- Par 147: Analyze demographic data to inform “outreach and policing programs specifically tailored to the residents” in each precinct; deliver precinct-level demographic data to the PCCEP to “inform its work” (***complete***)
- Par. 148: Analyze demographic data on police stops, looking at disparities by race, age, sex and mental health status of persons stopped; and provide these reports to PCCEP (***complete***)
- Par. 149: PPB, DOJ and COCL jointly create a set of metrics and present them to the PCCEP for review (***complete***)

# Community Engagement: City/PPB Progress (Par. 150, 151)

- Par. 150: PPB must: (1) release the final version of its 2017 annual report (***complete***); (2) hold at least one meeting in each precinct area and at a City Council meeting to discuss the topics covered (***not yet***); and (3) prepare a more timely annual report for 2018 (***in progress***).

# PCCEP Challenges and Community Concerns

- PCCEP listed many challenges/concerns in first quarterly report
- COCL acknowledges these as legitimacy issues
- However, many of them do not interfere with the COCL's ability to grant Substantial Compliance with specific paragraphs of the Settlement Agreement
- COCL strongly encourages PCCEP to continue to address these issues as needed after the Settlement Agreement has concluded

Thank You!

Questions?