Section 1- Citizen Initiated Complaints

1. Once the Independent Police Review Division ("IPR") receives a complaint regarding the conduct of a sworn member of the Portland Police Bureau ("PPB"), IPR will
   a. Gather information about the complaint through an intake interview;
   b. Assign an IPR/IAD Case Number; and
   c. Send a letter to the complainant for his or her signature.

2. If IPR declines to initiate an investigation, without a referral to the Internal Affairs Division ("IAD"), a copy of the IPR file will be sent to IAD for informational purposes. IPR will send a declination letter to the complainant as well as a copy of the declination letter to the involved officer(s) and the involved commanding officer.

3. Once the complainant's allegations have been identified, IPR will either:
   a. Refer the complaint to IAD for investigation,
   b. Request that IAD investigate with IPR involvement, or
   c. Provide notice to IAD that IPR will conduct an investigation with IAD involvement. [Note: the protocols for investigations and the case review process for options b and c will be developed at a later date.]

4. Once IAD receives the complaint from IPR, it will follow its standard operating procedures for investigations. Options include declining the complaint, conducting an IAD investigation, conducting an "Inquiry," or handling the complaint as a "service complaint."

5. IAD will send an introductory letter to each complainant from the assigned case investigator shortly after the case is assigned. In the case of Inquiries, IAD will send an introductory letter to the complainant explaining that a precinct supervisor will contact them regarding their complaint. In all cases, IAD will send a copy of such letter to IPR for informational purposes.

6. IAD will keep IPR advised of the status of each investigation on an ongoing basis, in order to allow IPR to send status letters to each complainant and involved officer in accordance with timelines outlined in PPB Internal Affairs Investigations directives. Regarding Inquiries, which are conducted at the precinct level, status letters will be completed by a supervisor at the precinct, with a copy of such letter sent to IPR, through IAD, for informational purposes.

7. After the IAD investigation is complete, IAD follows standard PPB procedures, which include forwarding the investigation results to the appropriate commanding officer for review and recommendations. At the same time, IAD will forward a copy of the summary investigative report to IPR for review and comment.
   a. If a commanding officer, with agreement of Executive Level staff, concludes that the complaint is not sustained then IAD will provide notice to IPR that the complaint was not sustained. IAD will notify IPR of the finding, by letter from IAD addressed to the complainant. IAD will provide notice of whether the disposition was "insufficient evidence," "exonerated," or "unfounded." The IPR Director will be responsible for sending the letter to the complainant with any appropriate comment. IPR will advise the complainant and the member of the Bureau's findings and any option of appealing the finding to the CRC.
   b. If a commanding officer, with agreement of Executive Level staff, concludes that any portion of the complaint is sustained, then that recommendation is forwarded first to Personnel, then the Review Level Committee, and then to the Chief of Police. Once the Chief of Police reviews and concludes that any portion of the complaint is sustained, Personnel will notify the member involved of the results and IAD will notify IPR of the finding, by letter from IAD addressed to the complainant. The IPR Director will be responsible for sending the letter to the complainant with any appropriate comment. IPR will advise the complainant and the member of the Bureau's findings and any option of appealing the finding to the CRC.
   c. Inquiry investigations will result in a letter, including appeal information, sent to the complainant from the precinct or unit commander outlining the results of the investigation. A copy of the letter will be forwarded to IPR by Internal Affairs.
8. If any changes in the PPB's findings occur as a result of proceedings relating to the collective bargaining agreement between the City and the labor organizations that represent sworn members of the PPB, the PPB will notify the IPR Director who will follow up with the complainant as appropriate.

9. If a citizen or an officer requests to appeal the Bureau's finding to the CRC, IPR staff will review the investigation and the Bureau's findings based upon the facts alleged in the request for an appeal.

10. After an appeal is filed, the IPR Director will notify IAD if further investigation or consideration of the evidence appears warranted, and the reasons for that recommendation. If IAD declines to conduct further investigation or reconsideration of evidence, the IPR may conduct further investigation as is deemed appropriate by the IPR Director. The IPR Director will notify the Chief of Police of any additional investigative efforts conducted by IPR.

11. After the investigation has been reviewed and any further investigation has been completed, the IPR Director or Deputy Director will confer with the appellant and, upon the request of the appellant, will set a date for a public hearing before the CRC. IPR staff will notify all parties (including the appellant, the officer(s) involved and IAD) of the hearing date.

12. CRC members will be allowed to review the IAD summary report at the IPR office and/or the complete IAD file at IAD. Neither IAD nor IPR will permit the copying of reports or files by members of the CRC. Notices of confidentiality will be prepared by IPR and affixed to IAD summary reports in the possession of the IPR prior to a review by any member of the CRC.

13. The CRC hearing will be conducted with an opportunity for the complainant, IAD the involved officer(s), and a representative of the officer(s) to be heard:
   a. If the CRC decides the PPB's finding is supported by the evidence, the case will be closed and IPR will send notification to the complainant, the officer(s) and IAD.
   b. If the CRC decides the PPB's finding is not supported by the evidence, the Director of the IPR will confer with the Chief of Police or designee in order to determine if the PPB will accept the reclassification of the finding as recommended by the CRC. The IPR Director will inform the complainant and the officer(s) of the CRC's recommendation and the position of the PPB.
   c. If the CRC chooses to defer its decision pending a request for further investigation by IAD or the IPR, the appeal hearing will be rescheduled for another date pending an IAD/IPR response to that request.

14. If the Bureau declines to accept a recommendation of the CRC to reclassify its finding, the IPR Director will schedule a hearing before the City Council to review the recommendations made by the CRC and the position of the Bureau.

**HISTORY**

Submitted for inclusion in PPD October 23, 2002.
Originally published as CRC PROTOCOL NO. 02-01, approved by IPR Citizen Review Committee, effective January 2, 2002.