

City of Portland
Police Citizen Review Subcommittee

AGENDA
June 14, 2023
6:00 PM

1. Zoom information
 - a. Please click the link below to join the webinar:
<https://portlandmaine-gov.zoom.us/j/89129715334?pwd=a1BiN0ZlczRodl83VFpxVnVXSk1HQT09>
Passcode: 798099
Or One tap mobile :
US: +13092053325,,89129715334# or +13126266799,,89129715334#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580
Webinar ID: 891 2971 5334
International numbers available: <https://portlandmaine-gov.zoom.us/u/kbxpeWqfbG>
2. Call to Order
3. Approval of May 10, 2023 minutes
 - a. Attachment
4. Review and finalize 2022 Annual Report
 - a. Attachment
5. Public Comment Session
6. Executive session pursuant to 1 M.R.S. Sec. 405(6)(F) to discuss IA2023-004
7. Adjourn

MINUTES
POLICE CITIZEN REVIEW SUBCOMMITTEE

May 10, 2023
Meeting Held Remotely Via Zoom

Members present: Reggie Parson, Chair; Anne Hardcastle, Vice Chair; Rev. Lewis (joined during Roux presentation); Tim Smith; Jean-Raymond Desruisseaux (Gino); Kaylin Kerina (joined during Roux presentation); Xavier Botana

Members absent: none

Staff present: Associate Corporation Counsel Rachel Millette; Tracy Boyd

6:02 Call to order.

Motion was made by Anne and seconded by Xavier to adopt minutes of the April 12, 2023 meeting. Passage 5-0.

Presentation of the Roux Report (Assessing Arrest and Traffic Stop Patterns in Portland, Maine, released January, 2023) by Sarah Krichels Goan, Catherine Cutler Institute, University of Southern Maine and Jack McDevitt, Founding Director of Institute of Race & Justice, Northeastern University. The report analyzed arrests and traffic stops by the Portland Police Department with a particular focus on racial disparities. After the presentation the subcommittee asked the presenters follow up questions. Xavier asked what the standard is for identifying systemic disproportionality with respect to race in arrests and traffic stops, Jack responded a 5% difference. Xavier followed up with a question regarding youth arrests (reasons for arrest and time of arrest), Jack explained that they were too few to garner any significant data. Rev. Lewis would like the data and other aspects of the report to be included in the Annual Report so that when the report is forwarded to the City Manager the information can be utilized to develop recommendations that impact the work of the subcommittee. Rev. Lewis also asked if the unhoused population would be unlikely to make a police report. Sarah responded that the unhoused population wouldn't likely make an official complaint. Jack also brought up that undocumented people would also not be likely to file an official complaint. Kay inquired as to whether there was any analysis of data as it relates to school or school-related arrests. Xavier explained that the number of in-school arrests are low. Anne asked if there is a plan for any follow-up from the researchers. At this point in time there is no anticipated follow-up.

No public comment offered.

Xavier followed up the report presentation asking whether the police department ever offered any formal response to the report. Reggie will follow up with Major Martin to ask him. Gino responded to the question that the PPD did post some news releases regarding the report via social media, but no formal response.

The 2022 Annual Report discussion was tabled until next month. Once it is ready, it will be shared with the group.

Question 7 Discussion (Changes made by the Charter Commission): Rachel updated the group regarding the timeline as it relates to the new ordinance. The City Council will begin work on creating guidelines for the new ordinance during a workshop tentatively scheduled for June 21, 2023. Rachel is unsure as to whether or not it will take place in an Executive Session or in public session. Once the City Council has a draft of the ordinance it will be shared with current PCRS members for review and feedback. Then, as a courtesy, the draft ordinance will be shared with the police unions for their feedback. After these reviews the City Council will then need to vote to approve the new ordinance. Once it is approved, the current subcommittee will be dissolved and a new board will be appointed. Rev. Lewis inquired as to whether the subcommittee's review of the draft ordinance will take place in Executive Session or public session. Rachel will check in with Corporation Counsel for their opinion on Rev. Lewis's question. Rev. Lewis's preference is for their review to occur in public session. Kay asked about the application process that the current members will need to follow once the current subcommittee is dissolved. Rachel explained that the preference as articulated in the charter language is for current members to be appointed to the next board. The subcommittee discussed the application process for members of the board, including term limits and the timeline for appointment. Rachel responded that these issues have not yet been finalized. Xavier asked about the appeal process indicated in the charter. Rachel indicated that the City Council or their designee will hear appeals of the new committee's decisions. Rachel will look at whether officers can appeal the new committee's decisions or just complainants. The subcommittee had questions regarding staffing and budgeting of the new group. Rachel reported that discussions have begun but she was unsure of the final decisions made concerning staffing and the City Manager's proposed budget. Kay expressed concerns over the appeals process and the availability of resources available to complainants. Anne suggested that available resources could be included in the complainant letter sent after the committee has reviewed a case.

Rev. Lewis is concerned about timely review of any future cases while waiting for the new ordinance to be drafted. He would like the infrastructure and new SOPs drafted as soon as possible, in addition to the hiring of new staff, in order for the group to be fully functional as quickly as possible. Kay asked whether it would be permissible to attend the City Council meeting as a citizen, not a member of the current PCRS. Rachel assured her it would be okay to attend.

Reggie asked how the new board will receive complaints. Rachel said they are still working on that piece. Rachel will let the group know when the ordinance is on the City Council agenda and whether or not they can participate.

Anne is concerned about timeliness, she is hoping that the current review process will remain in place while the new ordinance is being drafted, adopted, and implemented. Rachel assured the group that the new board can adopt the previous work of the prior board if it wishes to.

Tim asked if the group can continue to review cases, Rachel explained that the old subcommittee will remain in place until the new ordinance is in place.

No public comment offered.

Discussion around the proposed quarterly in person meeting schedule. Anne reminded the group that there was conversation during the last meeting regarding taking August off from the meeting schedule. Gino would like the group to meet in person as he sees value of in person meetings. Rev. Lewis suggested that the group only meet, going forward, if there are cases to review until the new ordinance is adopted. Anne suggested that they meet in June to review and finalize the Annual Report and review any cases that are ready. Xavier added that the group will also need to meet in the future to review the new draft ordinance. The group will continue to publicly notice each month's meeting and cancel them if there are no cases to review. The June meeting will be held remotely and the group will decide about whether they are meeting in July in person, remotely, or not at all.

No public comment offered.

Review of Annual Report will be on next month's agenda. Reggie will check in with Major Martin to see if there are any cases to review. Kay asked if the group should identify areas that the group may need more training in, Anne suggested that they wait until the ordinance is drafted before analyzing any future training needs. Rachel is attending the City Council workshop to receive guidance from its members as it applies to drafting the new ordinance. Rev. Lewis suggested that they wait until the ordinance is drafted, then the committee can hold a workshop to review the ordinance. Rachel will provide a draft of the ordinance ahead of the meeting.

7:48 Motion was made by Xavier to adjourn, seconded by Tim. Passage 7-0.

City of Portland Civil Service Commission
Police Citizen Review Subcommittee
2022 Annual Report

Reginald Parson, 2022 Vice Chair
c/o Corporation Counsel
389 Congress Street, Portland, Maine 04101
pcrs@portlandmaine.gov
www.portlandmaine.gov/pcrs

I. Executive Summary

The Police Citizen Review Subcommittee (PCRS) in 2022 engaged in their charge of reviewing IA investigations and added as well as refined their protocols in their charge in introducing a new category of complaints (i.e. Cat U as defined below). In the continued learning with information about the new Category U, the PCRS created and refined their review of IA Cat U cases in the course of the year to align with new findings in how to best review these cases. In the learning, it was advised to adopt a new review guideline, and the PCRS adjusted accordingly.

In reviewing the cases before them for 2022, the PCRS engaged in outreach to the Charter Commission in response to the Charter Commission's work in bringing forward the new proposed structure for the PCRS to better align with national best practice standards. The PCRS as a group discussed and memorialized the need to capture the need for collaboration in the changes and was sent in December 2021. In 2023, the PCRS will be transitioning to a new structure based on the changes adopted in the Citizen Referendum in November 2022 will impact their function.

The PCRS continued their professional capacity to learn about SOPs from the Police Dept. as well as extended learning opportunities with ride-alongs from members and other presentations from Portland PD.

II. Introduction and Highlights from 2022

Overview of the Committee

The Police Citizen Review Subcommittee ("PCRS") is tasked with determining whether The Portland Police Department's Internal Affairs investigations into citizen complaints against police officers are "thorough, objective, fair and timely per Portland City Code." It does so by auditing the Police Department's Internal Affairs Division's investigative methods and procedures after an investigation is complete. This audit includes reviewing all video, audio, interviews, and written reports relating to the investigation. The results of these determinations are reported to the City Manager, as well as a statistical analysis of those results.

The Subcommittee evaluates the overall quality of Internal Affairs investigations using the following four criteria:

- Was the investigation timely based on historical averages and the timelines of communication with the complainant?
- Was the investigation completed in a thorough manner in which key evidence was pursued and analyzed?
- Was the investigation fair and completed in an independent, confidential manner?
- Was the investigation objective and completed in a professional, neutral and unbiased manner?

The Subcommittee also holds a public hearing at least annually to receive comments on the police-citizen complaint process. In 2022, the Subcommittee held public comment sessions at all of its meetings. It is charged with providing recommendations to the City Manager for improvements or modifications in the

Internal Affairs investigative process, policies, or training, as well as recommendations for enhancing public confidence in the methods and process of investigation. In addition, the Subcommittee audits complaints that do not go through the internal affairs process because they have been categorized as “unfounded.”

A detailed accounting of the “Functions and Accountings” of the PCRS is contained in Division 4, Sec. 2-76 of the Portland Code of Ordinance found on the City’s website. The Portland Police Department’s Standard Operating Procedures (SOPs”), including the different complaint categories and processes are also on the City’s website on the Police Department tab, subtab “Standard Operating Procedures.”

The Subcommittee does not directly take complaints about the City of Portland Police Department. However, a list of resources to file a complaint is attached as Appendix I.

2022 Membership and Meetings

The Police Citizen Review Subcommittee met 10 times (all were virtual) in 2022. The cases and results are outlined in detail in the body of this report. Copies of the 2022 meeting minutes are attached as an appendix and can be found on the PCRS tab of the City’s website.

Emily West served as Chair of the Subcommittee, and other members included Reginald Parson (Vice-Chair), Jean-Raymond Desruisseaux, Anne Hardcastle, Kaylin Kerina, Rev. Kenneth Lewis and Tim Smith. Major Robert Martin attended meetings as a member of the Portland Police Department.

Highlights from 2022

Complaints Audited

During 2022, the PCRS reviewed ten cases, compared with four cases in 2021. Three cases in 2022 were category 2 (full IA investigation) and 7 were category U (complaint “unfounded”).

PCRS Outreach to the City Charter Commission.

The PCRS discussed the Charter Commission’s attention to issues of police accountability in the City and discussed ways to engage in a positive and productive dialog with the Commission. The Subcommittee took a number of concrete actions, including proactively reaching out to the Charter Commission, inviting dialog and education into the role of the PCRS, its work, and the important role it plays with citizens voicing views about police oversight. This was memorialized with a letter the PCRS sent to the Charter Commission so the Charter Commission could better understand PCRS perspective and insights, the structure of oversight, and with an invitation to attend a 2022 PCRS meeting for a transparent, public conversation.

Developing Guidelines for Category “1” and “U” Review Criteria.

The PCRS heard a presentation on the reasons behind the new Category “1” and “U” complaint classification (PPD moving towards modernized accreditation standards and body cameras are reducing the need for more detailed PPD reviews), the internal review process, and file documentation from Major Martin at the PPD. The PCRS finalized a Suggested Guidelines for evaluating Category “1” (“Cat 1”) and Category “U” reviews and documented criteria for consideration as a means of developing a voluntary methodology for reviewing these new categories of citizen complaints by PCRS members. This was published on the PCRS section of the City of Portland website with an adoption date of June 22, 2022. For the 2022 reviews, the PCRS only voted on whether IA had properly categorized the cases as Category U (“Cat U”).

III. Analysis of Cases Reviewed

Figure 1 shows the total number of citizen complaints that the PCRS has reviewed between 2018 and 2022. In the last five years, as the chart below notes all cases met all four criteria (timely, thorough, fair and objective). In 2022, the Subcommittee reviewed 3 cases using the 4 criteria and 7 Cat U cases, with all of them meeting the criteria.

Figure 1. PCRS: Total Cases Reviewed and Their Findings

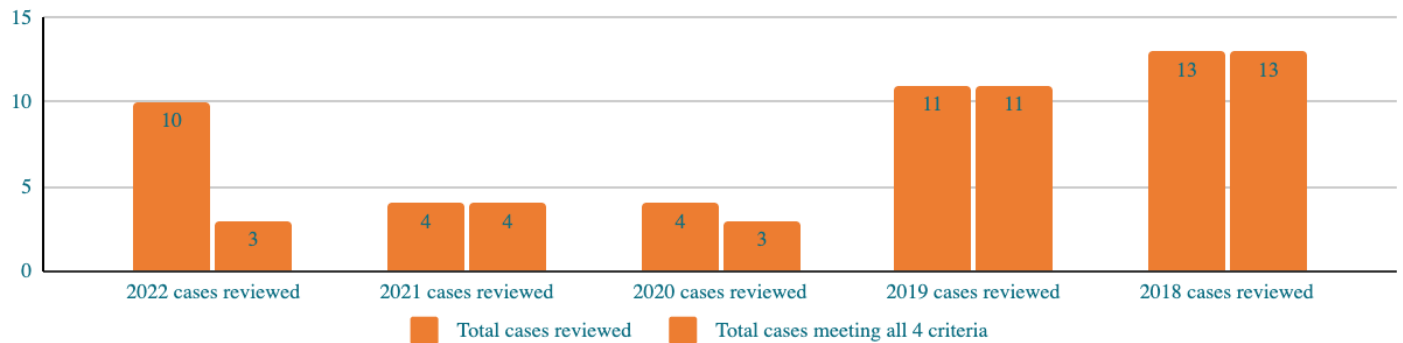


Figure 2 presents a review of the number of standard operating procedures (SOPs) that IA investigated as a result of citizen complaints, along with the number of these allegations that were sustained (e.g. a violation was confirmed). In the last five years, PCRS reviewed 96 allegations. Of these, 19 allegations were sustained. In 2022, one allegation in a Cat 2 case was sustained, meaning that Internal Affairs found evidence of a SOP violation. No allegations were sustained in the other two Category 2 (“Cat 2”) cases and all the Cat U’s were properly classified.

Figure 2. Internal Affairs: Number of Allegations Investigated and their findings

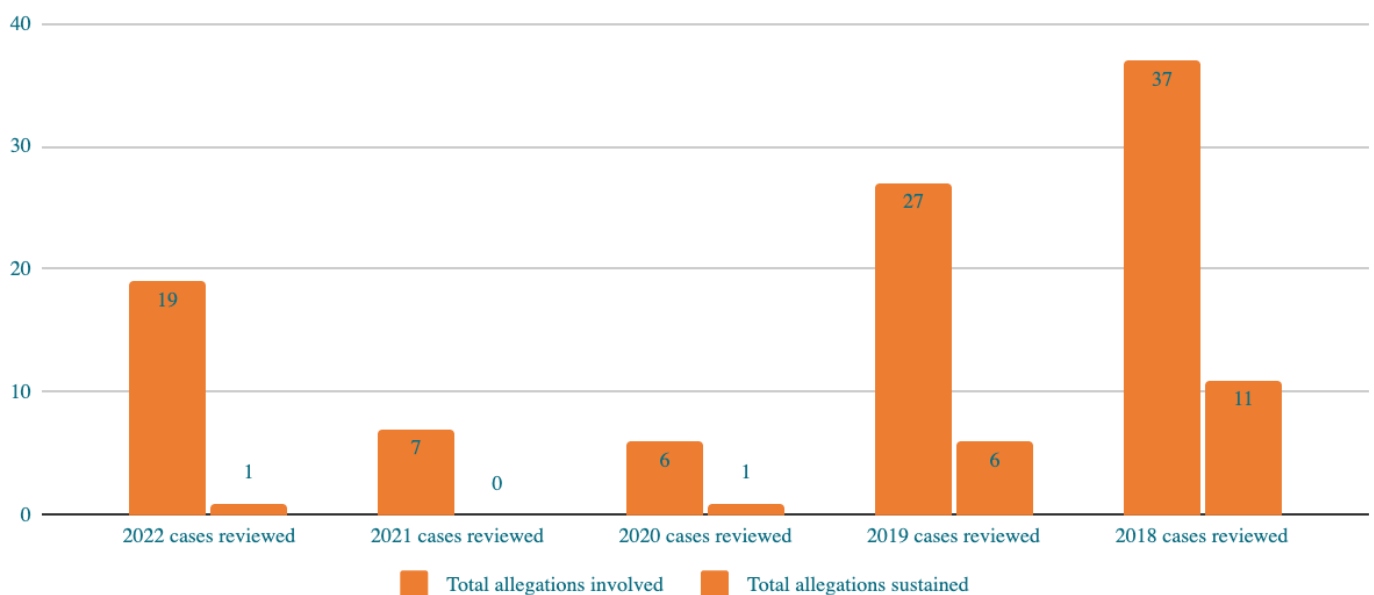


Table 1 provides further details about the cases that the PCRS reviewed in 2022. Below is an overview of the information contained in the table.

1. The nature of the complaint alleged, and the Standard Operating Procedure (SOP) allegedly violated.
2. The result of the Internal Affairs investigation. Potential results include:
 - a. **Sustained** – Sufficient evidence exists to indicate that the employee did, in fact, commit one or more of the alleged acts.
 - b. **Not Sustained** - No violation of Department rule, regulation or procedure or local, state, or federal law has been proven.
 - c. **Exonerated** - The incident occurred, but the employee's actions were justified, lawful, and proper.
 - d. **Unfounded** - Reasonably credible evidence exists to indicate the complainant's allegations are false.
 - e. **Cleared Exceptionally** – Elements beyond the police department's control prevents a final disposition.
 - f. **No Finding** – The officer left the department before a final disposition could be made.
3. Whether the Subcommittee found the investigation to be thorough, objective, fair, and timely.
4. The table below reflects the full IA investigations and the Cat U's. In 2022 the PCRS determined all of the Cat U's were properly classified and the only criteria reviewed by the PCRS was whether they were classified correctly.

Table 1. Overview of Cases Reviewed in 2022

		Police Department IA Findings					PCRS Findings			
Case #	Allegations	Sustained	Not Sustained	Exonerated	Unfounded	No Finding	Timely	Thorough	Fair	Objective
IA2021-007 (1 Employee)	Unsatisfactory Performance	X					Y	Y	Y	Y
IA2022-001 (1 Employee)	Unsatisfactory Performance				X		Cat. U*			
IA2022-002 (2 Employees)	Response to Resistance/Aid/Reporting			X			Y	Y	Y	Y
	Unsatisfactory Performance				X		Y	Y	Y	Y
IA2022-003 (1 Employee)	Unsatisfactory Performance				X		Cat U*			
IA2022-004 (1 Employee)	EMS Response/Medical Aid				X		Cat U*			
	Response to Resistance/Aid/Reporting				X		Cat U*			
IA2022-005 (2 Employees)	Unsatisfactory Performance			X			Y	Y	Y	Y
	Response to Resistance/Aid/Reporting			X			Y	Y	Y	Y
	Unsatisfactory Performance			X			Y	Y	Y	Y
	Response to Resistance/Aid/Reporting			X			Y	Y	Y	Y
IA2022-006 (1 Employee)	Conduct Towards the Public			X			Cat U*			

Continued on next page

IA2022-007 (2 Employees)	Operation of Police Vehicles				X		Cat. U*			
	Professional Conduct and Responsibility				X		Cat U*			
IA2022-008 (2 Employees)	Conduct Towards the Public**									
	Conduct Towards the Public				X		Cat U*			
IA2022-008 (1 Employee)	Unsatisfactory Performance				X		Cat U*			

***In 2022, upon receiving cases that were deemed “Unfounded”, the committee voted to determine whether the case was properly categorized.**

****This particular case was deemed as “Cleared exceptionally” and the committee agreed that it was the proper categorization.**

Figure 3 highlights the most common types of allegations that internal affairs investigated between 2018 and 2022 combined and how many of those allegations were sustained (e.g. violation was confirmed). Conduct towards the public and unsatisfactory performance were the two most common categories of allegations, with between 19 and 20 each, across the five-year period. There were 8 allegations relating to use of force, followed by 5 allegations of “response to/aid/reporting” and 4 each of impartial attitude and SOPs relating to mandatory recording and body worn cameras. See Appendix 1 for a full accounting of specific allegations in complaints between 2018 and 2022.

Figure 3. Most Common Allegations Investigated by IA
2018-2022

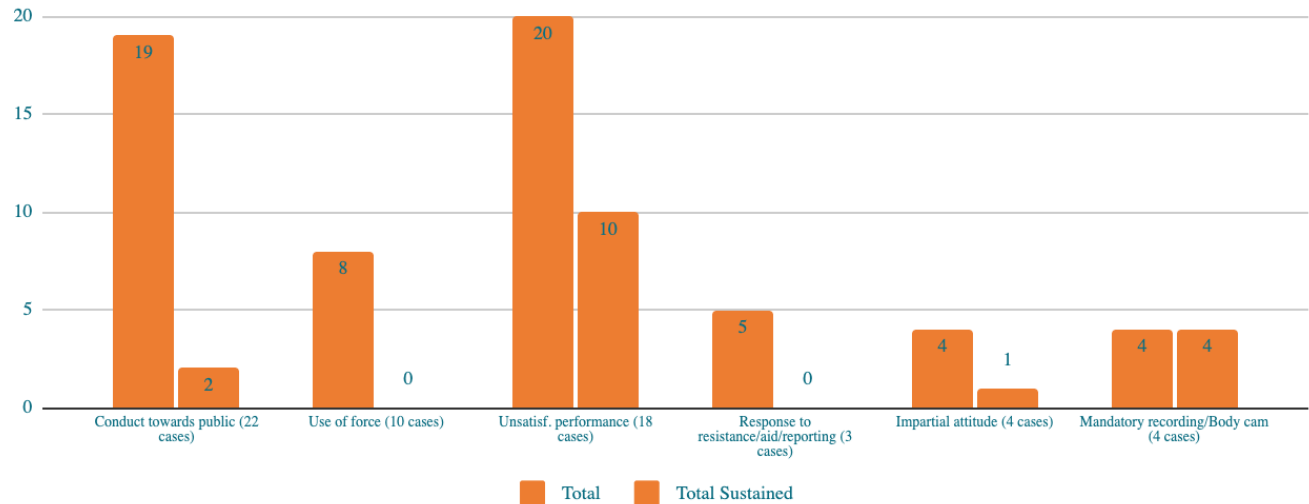


Table 2 presents available demographics of the complainants in the cases reviewed by the Subcommittee since 2018. All demographic information was either self-reported by the complainant or reported by the Police Department in related documentation. To protect individual privacy, we have aggregated the last five years of data to protect against identification.

Table 2. Demographics of Complainants

Demographics		Total 2018-2022 # out of 42 complaints
Age	Under 40	16
	Over 40	8
	Not reported	8
Gender	Male	18
	Female	22
	Not reported	3
Race	Black	9
	White	12
	Not reported	22
Residency	Portland	24
	Non-Portland resident	15
	Other/Not reported	4

IV. Goals set for 2023

Finally, the PCRS engaged in goal identification and setting goals for 2023. Because of the passage of the Citizen Referendum and the upcoming 2023 reconstitution of the PCRS, our 2023 status

only extends to when the Citizen Referendum becomes effective. We do not believe we had the standing to set goals for the new body in 2023.

Given these circumstances the goals we set for the first half of 2023 are to audit citizen complaints in a timely manner, seek clarification on Category U disposition criteria, complete the 2022 annual report, continue to seek ways improve accessibility to PCRS meetings/materials, creatively seek ways to engage with the public, and continue to engage with the Portland Police Department on educational opportunities on their SOPs and other training, as meets the individual training needs of each member.

We also recommend engaging with the Portland Police Department to leverage existing public engagement social portals to share PCRS findings, data, and meetings. Existing portals that have legacy, engaged viewers would serve to publicly evangelize the work that PCRS undertakes and showcase the transparency between PCRS and PPD.

Appendix 1. Overview of Allegation Types and If Sustained in Last Five Years

SOP Allegations	2022		2021		2020		2019		2018	
	Total Allegations	Total Sustained	Total Allegations	Total Sustained	Total Allegations	Total Sustained	Total Allegations	Total Sustained	Total Allegations	Total Sustained
Conduct toward the public	3 (2 cases)	0	4 (4 cases)	0	1	0	5 (5 cases)	0	6 (5 cases)	1
Divulging police information	0	-	0	-	0	-	0	-	1	1
Failure to make a police report	0	0	0	-	0	-	0	-	1	1
General responsibility	0	-	0	-	0	-	1	0	5 (1 case)	0
Illegal arrest	0	-	0	-	0	-	0	-	0	-
Illegal/warrantless search	0	-	0	-	0	-	1	1	3 (1 case)	2
Impartial attitude	0	-	0	-	0	-	3 (3 cases)	0	1	1
Improper handling of evidence	0	-	0	-	0	-	0	-	1	0
Body worn cameras	0	-	0	-	1	1	0	-	0	-

SOP Allegations	2022		2021		2020		2019		2018	
	Total Allegations	Total Sustained	Total Allegations	Total Sustained	Total Allegations	Total Sustained	Total Allegations	Total Sustained	Total Allegations	Total Sustained
Mandatory recording	0	-	0	-	0	-	3 (3 cases)	3	0	-
Obedience to law	0	-	1	0	0	-	0	-	0	-
Personal behavior	0	-	0	-	1	0	0	-	0	-
Professional conduct	1	0	0	-	3 (2 cases)	0	0	-	0	-
Proper action required	0	-	0	-	0	-	0	-	5 (1 case)	0
Race discrimination	0	0	0	-	0	-	0	-	1	0
Rumor	0	0	0	-	0	-	1	0	0	-
Stop and frisk	0	0	0	-	0	-	0	-	1	1
Theft by unauthorized taking	0	0	0	-	0	-	4 (1 case)	0	0	-

SOP Allegations	2022		2021		2020		2019		2018	
	Total Allegations	Total Sustained	Total Allegations	Total Sustained	Total Allegations	Total Sustained	Total Allegations	Total Sustained	Total Allegations	Total Sustained
Uniform policy	0	0	0	-	0	-	0	-	1	0
Unsatisfactory performance	7 (6 cases)	1	2 (1 case)	-	0	-	4 (4 cases)	2	7 (5 cases)	4
Use of force	0	0	0	-	0	-	5 (3 cases)	0	4 (3 cases)	0
Operation of police vehicles	1	0	-	-	-	-	-	-	-	-
Response to resistance/aid/reporting	5 (3 cases)	0	-	-	-	-	-	-	-	-
EMS Response/Medical Aid	2 (1 case)	0	-	-	-	-	-	-	-	-
Total	19 (10 cases)	1 (5%)	7 (from 4 cases)	0(0%)	6 (from 4 cases)	1(14%)	27 (from 11 cases)	6(22%)	37 (from 13 cases)	11(30%)

Appendix 2. Resource List for Filing a Complaint

LIST OF RESOURCES TO FILE CITIZEN COMPLAINT

Complaints or concerns about the City of Portland Police Department can be filed in several different ways, including:

In Person

City of Portland Police Department
109 Middle Street, Portland, ME 04101

Online

<https://www.portlandmaine.gov/FormCenter/Police-Department-3/Citizen-Input-43>

By Telephone

Portland Police Department Shift Commander: 207-874-8555

Portland Police Sergeant, Internal Affairs: 207-756-8352

By filling out a paper form, available at:

City of Portland City Manager City Hall
Room 208
389 Congress Street, Portland, ME 04101

City of Portland Police Department
109 Middle Street, Portland, ME 04101

East Bayside Community Policing Center
81 East Oxford Street, Portland, ME 04101

West End Community Policing Center
166A Brackett Street, Portland, ME 04102

Munjoy Hill Community Policing Center
134 Congress Street, Portland, ME 04101

Parkside Community Policing Center
510 Cumberland Avenue, Portland, ME 04101

Midtown Community Policing Center
26 Portland Street, Portland, ME 04101

Portland Housing Authority Community Policing Center
14 Baxter Boulevard, Portland, ME 04101

Portland Housing Authority Office
14 Baxter Boulevard, Portland, ME 04101

Riverton Community Center
1600 Forest Avenue, Portland, ME 04103

POLICE CITIZEN REVIEW SUBCOMMITTEE

Meeting
Minutes

**APPROVED MINUTES
POLICE CITIZEN REVIEW SUBCOMMITTEE**

**January 12, 2022
Meeting Held Remotely Via Zoom**

Members present: Emily West, Chair; Reggie Parson, Vice Chair; Kaylin Kerina; Anne Hardcastle; Tim Smith

Members absent: Rev. Lewis; Sarai Manyiel

Staff present: Tracy Boyd; Major Robert Martin

6:11 Call to order. (Delayed due to technical difficulties.)

Motion to adopt minutes of December 8, 2021. Second. Roll call votes 4-0, Mr. Smith abstaining.

Chair West announced that there would be no Executive Session during the meeting as all of the review materials were not available. The review was postponed to the next meeting on February 9, 2022.

No public comment was offered.

Chair West reported that the memo to the City Manager was sent with the community survey results. The memo with the Annual Report and meeting minutes was also sent to Charter Commission members and cc'd to the City Council inviting them to the next PCRS meeting. Ryan Lizanecz, Charter Commission Member, responded to the invitation indicating that he would be attending the meeting. Chair West will follow up to see if more people are planning on attending.

Chair West asked the group what should be added to the agenda for discussion. Vice Chair Parson wants to know what the Charter Commission's process and timeline is and when things will be finalized.

The PCRS discussed various ideas to bring forward to the Charter Commission. The group decided on employing Vice Chair Parson's PowerPoint presentation and adding the following elements to it:

- highlighting the time and effort of the group in self-education, experience, context and continuity;
- how the introduction of body cam videos has made the committee's IA case review work easier;
- the review role of the subcommittee being transparent, non-political, and objective through adherence to the stringent process in place;
- the progress the group has made, changes which have occurred, and what the

- group hopes to do in the future;
- education which is available to the PCRS, including information on the NACOLE Conference;
- the group's goals, its strengths, and its limitations;
- what the group does, the structure, what they review in Executive Session, and conversations with Internal Affairs.

Ms. Kerina suggested using a GANT chart for spot analysis: strengths, weaknesses, opportunities, and threats to frame the group's history. Mr. Smith agreed with Ms. Kerina's balanced approach to documenting the group's history objectively. Chair West is concerned the group may not agree identifying weaknesses as a whole, instead she suggested that instead of identifying weaknesses, the group look at limitations based on best practices. Vice Chair Parson commented that it is the language of the ordinance which constrains/limits the group.

Chair West requested that Vice Chair Parson work with another member of the group to update the PowerPoint presentation. Vice Chair Parson will update the presentation and send it to the group for review. Ms. Kerina offered to send Vice Chair Parson some suggestions. Ms. Hardcastle offered to work on the presentation with Vice Chair Parson.

Chair West suggested including limitations, opportunities, and the goals that the committee is working towards setting. Ms. Kerina suggested adding frustrations, how they potentially pauses the growth the group is hoping for - keeping in mind that they are presenting the group that can change the ordinance. Ms. Hardcastle suggested talking about the frustrations, not writing them out. She also asked if the presentation can be posted on the website as a pre-read. Chair West said that the presentation can be posted earlier, before the next meeting.

Chair West suggested the group work on goal setting for year.

Vice Chair Parson likes the idea of potentially going on ride-alongs for perspective as well as focusing on outreach to the public while acknowledging that COVID has delayed being able to do this. He also suggested finding a public forum and attending neighborhood association meetings. Mr. Smith offered to organize the proposal to participate in ride-alongs. Chair West explained that the PCRS always has a standing invitation from PPD to participate in ride-alongs. She also felt it would useful to have a comprehensive training package available to police officers and what would relevant and available to the PCRS. Mr. Smith offered to work on creating a list of available trainings and asked Major Martin if he should reach out to him. Ms. Hardcastle suggested including details on how to sign up for a training. Major Martin joined the conversation and confirmed that anyone in the group was welcome to ride-along at any time though he mentioned that they are having COVID related issues right now, but to call any time. Mr. Smith will contact Major Martin for a list of training opportunities.

Chair West spoke about the challenges with improving community engagement while meetings are being held remotely. Ms. Hardcastle suggested calendaring neighborhood

association meetings and requesting 15 minutes of time to use the PowerPoint presentation they are preparing for the next meeting. Ms. Kerina suggested launching an online campaign, possibly a Facebook Live, or an Instagram presentation to reach young people with close captioning, and translation available to make meetings more accessible. Ms. Hardcastle suggested doing outreach presentations to schools and possibly employing their translation services to translate the presentation to reach the communities-at-large. Ms. Kerina suggested contacting the Portland School Board to discuss. Chair West offered to speak with a friend in school administration about the possibility of presenting at the schools.

Ms. Kerina viewed the outreach as an opportunity to hear community experiences, and what would help them feel more comfortable. Chair West cautioned the group about the presentation staying on course and not allowing it to be a platform for receiving specific complaints. The group should identify different community organizations to reach out to, i.e. churches, advocacy groups, etc. Vice Chair Parson reminded the group that they have 12 months and they can increase their individual outreach efforts, not just together as a group. Ms. Hardcastle suggested that using the presentation as the base, they could go out in groups of twos and that the group should create a schedule to avoid duplication of efforts. Ms. West reminded the group that when they are presenting, they can only speak for themselves, not the whole committee group. Vice Chair Parson thinks they should create a spreadsheet of groups that will be presented to avoid duplication.

Chair West wants the group to set their priorities and delegate. She feels that the committee should have a paid community liaison as a spokesperson for the group, but that would require a change in the ordinance. Ms. Hardcastle believes the conversation in February with the Charter Commission will give the committee a real timeline in regards to potential outcomes, and that the timeline may change the group's priorities.

Chair West asked what the committee would like to see in regards to improvements and additions in the Annual Report. Mr. Smith would like to see the Annual Report written and posted earlier in the year and volunteered to work on it. Chair West said that Attorney Anne Torregrossa has a spreadsheet of all cases reviewed and asked Tracy to get that spreadsheet from Anne. Mr. Smith offered to do preliminary work on the Annual Report. Chair West suggested that Mr. Smith review the report and work on accomplishments for the group.

A conversation ensued about collecting better race and ethnicity data, that data is only available if a complainant elects to disclose.

Mr. Smith reminded the group about Rev. Lewis' request of shortening up the meeting.

Chair West reviewed goals that were discussed: creating an orientation package which includes a criteria sheet, trainings, and an overview of the guidelines on how to present an IA case for review in Executive Session. Ms. Hardcastle added that it should include regulations, a list of current participants, trainings, guidelines, and a guide on how to present and review cases. Vice Chair Parson offered to draft a template. Mr. Smith commented that Chair West had sent him a document that was a guide on how to present

a case. Vice Chair Parson also wanted to circle back on their goals of improving community outreach, training, the Annual Report, and creating an orientation package. Ms. Hardcastle would like to see accountability as it relates to the group's community outreach efforts.

Chair West would like to set a timeline and goals in March.

Chair West spoke about a new classification of cases. IA is triaging the easier to call cases. She would like Major Martin to speak to the group about this new classification in the next meeting and describe what to expect in a folder in regards to this new classification.

The agenda for the next meeting should include the Charter Commission conversation and an IA matter which was postponed. Chair West would like the presentation posted on the website a week before the next meeting.

Motion to adjourn; Second; Roll Call Vote 5-0.

7:18

**APPROVED MINUTES
POLICE CITIZEN REVIEW SUBCOMMITTEE**

**February 9, 2022
Meeting Held Remotely Via Zoom**

Members present: Emily West, Chair; Reggie Parson, Vice Chair; Anne Hardcastle; Rev. Lewis; Tim Smith

Members absent: Kaylin Kerina; Sarai Manyiel

Staff present: Tracy Boyd; Major Robert Martin

6:03 Call to order.

Motion to call a quorum. Second. Roll call votes 5-0.

Motion to adopt minutes of January 12, 2021. Second. Roll call votes 5-0.

No public comment was offered.

Chair West opened the discussion speaking to the agenda item of setting goals and timelines for those goals. Chair West explained that the Charter Commission was also meeting simultaneously and no representative would be in attendance tonight. Chair West suggested reviewing the PowerPoint presentation, discussing the Charter Commission report, reviewing the IA case, and asking Major Martin to explain the new classification of IA cases to review. Mr. Smith offered to report to the group about available training. Ms. Hardcastle suggested that the group move the IA case to be reviewed to the top of their agenda.

Major Martin described the new IA process which is part of the new SOPS, and includes a classification of IA cases that can be quickly investigated by the shift commander and not follow the chain of command up for further review. These are minor, policy violations which are usually corrected by further training and/or written reprimand and typically closed in couple of days. Chair West would like more information regarding the distinctions between a full investigation, the new front line review and how the subcommittee can apply the four criteria to assess fairness, thoroughness, timeliness and objectiveness. Rev. Lewis asked Major Martin if the officer(s) involved still receive required notification of the complaint and investigation, Major Martin replied that they do and can also appeal and ask for a complete IA investigation.

Rev. Lewis asked if there was another mechanism that allows a complaint to be resolved. Major Martin described cooperative resolution where the complainant and the officer need to agree to the resolution. If there is no consensus between the parties then it is either investigated by the major commander review or a full IA investigation. PPD

has never had a complaint resolved through cooperative resolution.

A conversation ensued about the new Category U investigations (Cat. U) which all occurred in 2021. Major described the difference between a Cat. U investigation vs. a full IA investigation, Cat. U will only have one disposition reviewed by the Major, it will still include a timeline, and a letter. Chair West is concerned that without an overview of the case and the standard documentation, it will be difficult for the group to review for thoroughness. Rev. Lewis questioned why the group would review the investigation at all. Major Martin explained that because it is an external complaint. Chair West pointed out that before Cat. U was created, any complaint would have gone through the IA process. Rev. Lewis doesn't believe that the group is reviewing the IA process if the complaint doesn't follow the standard process. Major Martin explained that the IA investigative process follows LEA (Law Enforcement Accreditation) guidelines/protocols. Chair West spoke with Acting Corporation Counsel Jen Thompson earlier and she will get more clarity around this new classification.

Chair West used the current matter the group is reviewing to ask what should be in the file. They did receive a summary, they did not receive audios of the officer interviews. Major Martin agreed that there should have audio of the interviews and that the Lieutenant should have done a synopsis of the interviews that mirror what an IA Sargent report looks like (produces the facts) and what the IA Lieutenant report looks like (makes determination and recommendations). Chair West feels that the case file shouldn't be missing these components. Rev. Lewis looked at the Cat. U SOP and feels that they are not reviewing the investigation, that the case before them is more like a declaratory judgment. The group is not looking at the other side of the coin, the file does not contain external interviews. Ms. Hardcastle added that the group does not have everything it needs to review a Cat. U matter.

Major Martin commented that the case before them tonight was handled by a Lieutenant under Cat. U, but the matter was not a Cat. U. The complaint was sustained, it was a lower level performance issue. The benefit of the new classification is that it can be handled more quickly and the issue(s) can be addressed right away with the officer. The description in the SOP of the first line supervisor review is what is being used.

A conversation ensued about the Cat. U SOP. Rev. Lewis would like to have an in depth discussion around Cat. U and what is excluded under Cat. U. Ms. Hardcastle believes there should a description of the protocols used to determining what a Cat. U is.

Major Martin explained that the case to be reviewed at tonight's meeting is a Cat. 1. Major Martin would like to dig in to Category U with Major and AI Lieutenant to determine what the PCRS should see in a case file.

6:42 Motion to enter into Executive Session; Second; Roll Call Vote: 5-0.
7:22 Out of Executive Session.

Motion to find that IA 2021-007 was fair; second; roll call vote 5-0.
Motion to find that IA2021-007 was thorough; second; roll call vote 5-0.
Motion to find that IA 2021-007 was timely; second; roll call vote 5-0.

Motion to find that IA 2021-007 was objective; second; roll call vote 5-0.

The group discussed the Charter Commission document. Rev. Lewis attended a meeting where it was discussed and feels that the proposal hasn't been vetted yet and that the Charter Committee has created an ordinance instead of changing the Charter language. Mr. Parson feels that the Charter Commission committee still needs to educate more the role of the PCRS. Chair West asked what else the PCRS could provide to the Charter Commission? Rev. Lewis suggested waiting until the proposal is written in Charter language.

Chair West suggested moving this month's agenda to next month. Rev. Lewis would like have a conversation about the IA process and SOPs in a presentation format for public understanding, he feels it would be helpful for both the PCRS and the public to understand the process. Chair West would like the presentation to be a conversation of the general overview on the IA process and the new category. Major Martin suggested inviting the Chief and asking Lt. Titcomb to present at the next meeting. Mr. Smith would like the presentation to illustrate what to expect in the investigation as to documentation with the new classification in regards to reviewing for thoroughness. Chair West and Mr. Smith suggested holding off on reviewing the next case until they have been educated on the new classification. Chair West will ask for legal counsel to attend the next meeting. Mr. Smith offered to prepare a list of goals for the year.

Mr. Smith gave a re-cap of PCRS training opportunities. He spoke with Major Martin and then Sergeant Dan Hayden. PPD will have new training programs (possibly by April, 2022) in Virtual Reality format which all PCRS members are invited to attend. Individuals can attend, it does not need to be the whole group. Ride-alongs are still on hold due to COVID. There will be some in-person training opportunity modules. Vice Chair Parson encouraged everyone to participate in the trainings.

Rev. Lewis is due to term off of the PCRS in March, he was unsure of the reappointment process timeline. Rev. Parson would like to continue serving on the committee. Chair West will speak with ACC Jen Thompson regarding the process.

7:46 Motion to adjourn; Second; Roll Call Vote 5-0.

**APPROVED MINUTES
POLICE CITIZEN REVIEW SUBCOMMITTEE**

**March 9, 2022
Meeting Held Remotely Via Zoom**

Members present: Emily West, Chair; Kaylin Kerina; Anne Hardcastle; Tim Smith

Members absent: Reggie Parson, Vice Chair; Rev. Lewis; Sarai Manyiel

Staff present: Jen Thompson; Major Robert Martin; Tracy Boyd

6:05 Call to order.

Chair West introduced Acting Corporation Counsel Jen Thompson.

Motion to adopt minutes of February 9, 2022. Second. Roll call votes 3-0, 1 abstaining.

Chair West introduced Major Martin who was presenting the overview of the new category. Mr. Smith asked Major Martin if the new category (Cat. U) is outside the scope of the subcommittee's jurisdiction to review IA investigations.

Major Martin explained that Police Department is moving towards accreditation standards and is implementing a new system to investigate Internal Affairs complaints. There are three different ways to investigate complaints, the first is cooperative resolution whereby both parties consent to resolve the complaint and which results in no discipline. The next category is a Category U – after the initial complaint has been filed, on its face it is determined to be unfounded and there is no SOP violation, no violation of law. There is a list of what this can apply to in the policy. Body cam and cruiser video is used to determine if the complaint falls within Cat. U. The group asked Major Martin what to expect to see in terms of paperwork relating to a Cat. U.

Major Martin said that for unfounded Cat. U decisions, we will only see the document from the Major reviewing the complaint as to why the determination of unfounded was decided. If the Cat. U is sustained, we will see the following:

- Chronological timeline of investigation
- Interview with the complainant
- The complaint
- Body camera and dashboard footage
- Letter of closing the investigation

In terms of what will not be in the file:

- Sergeant's report
- Disposition sheets of Command Staff

- Usually no officer interview
- Letter of transmittal

Major Martin said that the file would contain the Lieutenant review and why it was determined to be unfounded. Only Cat. 1, minor offenses, are investigated by the Lieutenant. All Cat. 2 are investigated by IA. Chair West asked Major Martin about the unfounded category. The unfounded category has come into play because of body worn cameras. The determinations are: unfounded, exonerated, sustained and cleared exceptionally (resignation). Mr. Smith believes that the PCRS was created to audit the PD IA unit, he questioned why they are looking at the Cat. Us, do they still fall under the PCRS jurisdiction? Chair West wants to know why the Lieutenant reviews are being forwarded to the group, Major Martin responded that this category is still considered IA even if unfounded and the data is tracked. Ms. Hardcastle commented that under the purview of the PCRS, the review process of Cat. U still falls within the purview, though changes may be needed to adjust the review process because thorough is different than in past reviews.

Attorney Thompson explained the ordinance outlines the duties of the body and scope of the subcommittee's authority. She then went on to advise the group to look at the processes within an executive session as to how they can fulfill their legal rights and duties as a body by comparing the ordinance language and the process. Once the group exits executive session they can vote on their next actions.

Ms. Kerina asked Major Martin if the data from Cat. Us is being collected and if there is an escalation process if the same employee keeps being written up. Major Martin responded that the PD uses performance management review, which can be triggered by an IA complaint. He described Cat U as having no ambiguity because of the existence of body cam footage, it is plain and obvious. Chair West feels that with the introduction of Cat Us, their review process will be different, that the definitions of fair, thorough, timely, and objective will not be the same for each different category (Cat. U, Cat. 1 and Cat. 2). Chair West also remarked that without the Sergeant's report, the committee's review work increases. Mr. Smith would like to see the Sergeant's report included for their review.

Major Martin explained that Cat. 1 complaints (and complaints resolved by cooperative resolution) must be investigated within 72 hours, if it is not completed then it is investigated in the same way a Cat. 2 is. Any citizen complaint filed is forwarded to the PCRS for review.

Attorney Thompson reiterated that the group should discuss all of the questions within an executive session and make its decision in the public space and to add the policies being discussed to the meeting's agenda.

Ms. Hardcastle agreed that the group needs to decide if reviewing Cat. Us are within the PCRS's purview while acknowledging that the new category makes the IA investigation process more efficient.

Attorney Thompson suggested that any documents to be discussed be linked to the meeting agenda. She went on to say that at the April 13th meeting, the group enter executive session to have a thorough conversation about the SOPS and the new category, then during public session the group make a decision about next steps.

Ms. Hardcastle asked Major Martin if there are any emerging trends for the types of complaints they are receiving. A discussion ensued about the frequency of Cat. Us. Major Martin explained that the policy went into effect in January of 2021, and the first Cat. U occurred in May, and the first Cat. 1 occurred in August, 2021. Chair West said the group sees more Cat. 1s than Cat. 2s and attributed it the introduction and use of body worn cameras. Major Martin added that an officer can request that a Cat. 1 be fully investigated as a Cat. 2, which is more thorough.

Chair West recommended holding off review of the next two IA cases until May so that they can make decisions based from the outcome of the next executive session.

No public comment was offered.

The PCRS then moved on to discuss their goals for 2022. Mr. Smith summarized the group's goals:

1. Getting more training.
2. Community engagement, outreach, and presentations.
3. Hire a community liaison.
4. Improve the annual report and publish it earlier.
5. Improve data collection from complaints, esp. demographic information.
6. Create an orientation package for new PCRS members
7. Presentation on the SOPs, which was completed during this meeting.

A discussion ensued about improving community engagement and accessibility, including close captioning possibly through Zoom, Facebook Live and other social media. The City is moving towards hybrid meetings – in person and video. The group would like to create a Facebook presence, Attorney Thompson explained that the City has a policy in place for employees, though she was unsure about boards, she offered to connect the group with Jessica Grondin regarding guidance in regards to social media issues and policies for city committees. Ms. Kerina would like to see the presentation and the PCRS flyer translated, Chair West agreed that there should be follow-up. Outreach is very important to the group. Ms. Kerina suggested the group publish a newsletter.

Attorney Thompson asked for clarity regarding what the goal of outreach was for the group. Chair West explained the group would like more public participation and to inform the public that the group exists. A conversation ensued regarding the possibility of each member identifying five community contacts and creating a document to add the names to. Attorney Thompson cautioned the group that such a document is a matter of public record.

Chair West and Mr. Smith would like to prioritize the group's goals. Mr. Smith will work

on the Annual Report. Chair West suggested added time standards for each of the categories to the Annual Report. Mr. Smith recalled that Vice Chair Parson volunteered to work on an orientation package, and training could be added to that. Ms. Hardcastle would like to help with that project.

Ms. Kerina would like to participate in NACOLE again this year and have the group consider presenting in 2023. Attorney Thompson offered to assist with creating the orientation training package as part of Corporation Counsel's goals for 2022. Mr. Smith believes that the training package should include the criteria sheet, training information, guidelines on how to present an IA case, and cover applicable regulations. Ms. Hardcastle suggested also adding Vice Chair Parson's PowerPoint presentation.

The group agreed to table the creation of a community liaison position until they have more information from the Charter Commission.

At next month's meeting, with the assistance of Attorney Thompson, the group will look at the ordinance and how it applies to the scope of the PCRS review process during an executive session. Attorney Thompson offered to work on the agenda and the necessary documents needed as attachments with Chair West before the next meeting. The group will continue discussing goals.

The group will hold off review of the two IA cases until May. Ms. Hardcastle is hoping to talk about the Charter Commission's timeline as well. Ms. Kerina suggested that the group publish an informative newsletter which defines who the group is and what their role is.

7:35 Motion to adjourn; Second; Roll Call Vote 4-0.

**APPROVED MINUTES
POLICE CITIZEN REVIEW SUBCOMMITTEE**

**April 13, 2022
Meeting Held Remotely Via Zoom**

Members present: Emily West, Chair; Rev. Lewis; Anne Hardcastle; Tim Smith; Jean-Raymond Desruisseaux (Gino)

Members absent: Reggie Parson, Vice Chair; Kaylin Kerina

Staff present: Jen Thompson; Tracy Boyd

6:05 Call to order.

Motion to adopt minutes of March 9, 2022. Second. Roll call votes 4-0.

Chair West re-introduced Acting Corporation Counsel Jen Thompson and newest PCRS member Jean-Raymond Desruisseaux (Gino). The group also introduced themselves.

Chair West talked about the order of the agenda and that the group was going to begin with an Executive Session, and then move onto next steps coming out of Executive Session to consider what was discussed in the public forum and if there is time, discuss goals and timeline for 2022, and allow for public comment.

6:10 Motion to go into Executive Session pursuant to 1 M.R.S. 405(6)(E) to consult with its attorney regarding its legal rights and duties under the City's Police Citizen Review Subcommittee Ordinance, including its review of policy as outlined in Section 2-76(a)(1). Second. Roll call votes 5-0.

6:12 Executive Session.

7:12 Out of Executive Session. (Mr. Desruisseaux left ES at 6:41.)

Chair West suggested continuing to talk with counsel on future policy changes, followed by the opportunity for public comment.

Discussion of goals and timelines for 2022. Mr. Smith suggested that each member choose the goal they want to work on. Chair West agreed. Rev. Lewis suggested the group be mindful of the potential changes coming from the Charter Commission and suggested balancing aspirations with a level moderation because of uncertainty of what the group may look like in the future. He further stated to keep the goals tangible and doable with the objective that they be completed within the calendar year. Chair West

agreed.

Chair West asked for any public comment. No public comment was given.

For next month's meeting Jen will work on a draft policy or approach for Category U and 1 complaints and a final draft. After that a public hearing will be needed on the proposal, followed by a decision by the group to adopt the policy if it is determined that the policy captures the duties of subcommittee under the ordinance. There may be a need for an Executive Session. Chair West said that there are five IA cases in the queue and she will follow up on those with Major Martin. The decision was made to hold off on reviewing Cat. U and 1 cases, however, if there is another category 2, it will be added to the agenda for review.

Rev. Lewis spoke about timelines and doing timely reviews, and asked if there is a case that jeopardizes their duty of timely review. He asked how long the cases have been in the queue? He went on to suggest that they dedicate time to review two cases at the next meeting.

Ms. Hardcastle suggested when Chair West reaches out to IA for case information that she also ask for any supporting internal information, such as a checklist, that IA might be using to determine Cat. U and 1 cases as that information might help inform how the group approaches these categories.

7:19 Motion to adjourn; Second; Roll Call Vote 4-0.

**APPROVED MINUTES
POLICE CITIZEN REVIEW SUBCOMMITTEE**

**May 11, 2022
Meeting Held Remotely Via Zoom**

Members present: Emily West, Chair; Reggie Parson, Vice Chair; Rev. Lewis; Anne Hardcastle; Tim Smith; Jean-Raymond Desruisseaux (Gino), Kaylin Kerina

Members absent: none

Staff present: Jen Thompson, Tracy Boyd, Major Martin, Lieutenant Titcomb

6:02 Call to order.

Motion to adopt minutes of April 13, 2022. Second. Roll call votes 7-0.

Executive Session pursuant to 1 M.R.S. 405(6)(E) to consult with its attorney regarding its legal rights and duties under the City's Police Citizen Review Subcommittee Ordinance, including its review of policy as outlined in Section 2-76(a)(1).

6:07 Motion to enter into Executive Session; Second; Roll Call Vote: 7-0.

There was no public comment.

6:26 Out of Executive Session.

Vice Chair Parson opened the discussion of the new category policy. Chair West received more clarification on Category 1 and U from Major Martin. Traditionally, the group has reviewed Category 2 cases. Both Cat. 1 and Cat. U have been created because of the introduction of body worn cameras. The footage allows review of the interaction. Category U is a truncated review because the allegation clearly did not occur. Cat. 1 is also a truncated review, it usually a minor SOP violation which can be quickly corrected and easily determined through video footage. Because the review documentation is lighter, Attorney Thompson drafted guidelines to review those categories as well as standards to check that the complaints were categorized correctly. Ms. Hardcastle likes the format of the document. Ms. Hardcastle thought a review time element (72 hours) should be added to the first bullet point. Chair West requested a checklist from Major Martin of what documents to expect in each category. Rev. Lewis asked if the police department has standards to mirror the policy. Ms. Kerina would also like to see a checklist of what to include and what is not in the documentation. Rev. Lewis asked if there would be a disposition sheet. Chair West replied that there would not be a disposition sheet, but rather a letter closing the investigation. Attorney Thompson intentionally included language about clearly written statement, it seemed a like a reasonable expectation and she asked Major Martin his thoughts on the matter. Rev. Lewis would like a statement of IA's rationale in regards to why IA categorized the complaint as a Cat. U or 1. Ms. Hardcastle would like to have input regarding the policy from IA regarding

whether the policy matches IA's review process. Major Martin commented that the ordinance spells out the manner in which the subcommittee reviews cases. Major Martin questioned the language, specifically "non-judgmental" in the first bullet point. Attorney Thompson offered to check the language. Rev. Lewis was not concerned with the first bullet point, but rather the 2nd, 3rd, and 4th bullet points and whether they align with the group's current practice and process. Major Martin explained that each complaint is different and that the proposed policy should be reviewed up the chain of command. Rev. Lewis questioned reviewing cases that don't fit into the language of the ordinance and felt that the subcommittee should not review the new category until the group has a clear approach. Attorney Thompson checked the language and under fair, the word non-judgmental is used. She then clarified that the spirit of what the group is hoping to accomplish is a cooperative approach between the PCRS and IA. The group agreed to transmit the policy to the police department for its input and approval.

Motion to transmit the policy to the police department for input; Second; Roll Call Vote: 7-0.

Executive session pursuant to 1 M.R.S. Sec. 405(6)(F) to discuss IA2022-002.

7:00 Motion to enter into Executive Session; Second; Roll Call Vote: 7-0.

There was no public comment.

7:20 Out of Executive Session.

Motion to find that IA 2022-002 was fair; second; roll call vote 7-0.

Motion to find that IA2022-002 was thorough; second; roll call vote 7-0.

Motion to find that IA 2022-002 was timely; second; roll call vote 7-0.

Motion to find that IA 2022-002 was objective; second; roll call vote 7-0.

There was no public comment.

A discussion ensued about pushing the outstanding cases for review to July after the policy is approved at the next meeting in June. Major Martin believes there are 2 or 3 cases, but is not concerned about the group waiting to review them. Rev. Lewis asked if the group is going to abbreviate their summer schedule. The group will meet in June and July and possibly take off August. Ms. Kerina expressed concern about case review timeliness, the group should create a time standard and avoid pushing cases for review out often, thus insuring the public's trust in the group. Chair West articulated that because of the new categories, a policy needs to be in place before review of Cat. 1 and Us.

Mr. Smith offered to circulate a draft of the annual report for review by the group. Next meeting's agenda will contain approving the review policy and prioritizing goals for the remainder of the year. Mr. Smith proposes that individuals chose one goal to work on.

7:31 Motion to adjourn; Second; Roll Call Vote 7-0.

MEETING MINUTES

POLICE CITIZEN REVIEW SUBCOMMITTEE

Jun 8, 2022

Meeting Held Remotely Via Zoom

Members present: Reggie Parson, Vice Chair; Rev. Lewis; Anne Hardcastle; Tim Smith; Kaylin Kerina; Jean-Raymond Desruisseaux (Gino)

Members absent: Emily West, Chair

Staff present: Jen Thompson, Acting Corporation Counsel

Call to order.

Motion to adopt minutes of May 11, 2022 meeting. Second. Roll call votes 6-0.

Discussion of new policy/review guidelines for review of Category U complaints.

Motion to adopt the policy as written made by Rev. Lewis and seconded by Anne Hardcastle. Passage 6-0, Roll Call.

Discussion of PCRS Goals. Rev. Lewis indicated his preference to wait to develop formal goals until after the results of the November election are known, given proposals from the Charter Commission regarding the work of the PCRS.

Discussion of a desire to host public fora relating to the Police Department's SOPs for the benefit of the public and of the ability of PCRS members to participate in trainings and ride-alongs with the PD;

Discussion of the process for drafting and finalizing the Annual Report. There was a shared desire to adopt the final report by September. Kay Karina emphasized the importance of using plain language as much as possible in order to improve the accessibility of the PCRS's report on its work.

The PCRS will discuss a strong draft of the Annual Report at its July meeting.

Motion to adjourn the meeting made by Tim Smith and seconded by Anne Hardcastle. Passage 6-0, Roll Call.

MEETING MINUTES

POLICE CITIZEN REVIEW SUBCOMMITTEE

July 13, 2022

Meeting Held Remotely Via Zoom

Members present: Emily West, Chair, Reggie Parson, Vice Chair; Rev. Lewis; Tim Smith; Kaylin Kerina; Jean-Raymond Desruisseaux (Gino)

Members absent: Anne Hardcastle

Staff present: Jen Thompson, Acting Corporation Counsel

Call to order.

Motion to adopt minutes of June 8, 2022 meeting. Second. Roll call votes 6-0.

Chair West reviewed the agenda which includes finalizing the 2021 Annual Report, two IA cases to review, in addition to setting next month's agenda.

The report was reviewed, and conversation ensued around Category U “unfounded” being a disposition, rather than a category. Tim Smith and Chair West will look back at the case in question as to why there was not SOP violation attached to it. Kay Karina underscored the importance of using plain language as much as possible in order to improve the accessibility of the PCRS’s report on its work. It was agreed that the group would vote to approve and adopt the annual report with agreed upon edits or corrections in regards to the new category added this year.

Motion to adopt the report with agreed upon (future) edits or corrections; Second. Roll call votes 6-0. There was no public comment.

Executive session pursuant to 1 M.R.S. Sec. 405(6)(F) to discuss IA2022-001 and IA2022-003.

Motion to enter into Executive Session; Second; Roll call votes 6-0. There was no public comment.

Out of Executive Session.

Motion to concur that the IA2022-01 categorization of this complaint was appropriate and consistent with SOP 90; Second; Roll call votes 6-0.

Motion to concur that the IA2022-03 categorization of this complaint was appropriate and consistent with SOP 90; Second; Roll call votes 6-0.

The August subcommittee meeting was unanimously cancelled.

Chair West believes the group will have one case to review next month in Executive Session in addition to reviewing and assigning goals. Vice Chair Parson, want to follow up with the goals of PPD hosting public fora relating to the Police Department's SOPs for the benefit of the public.

Tim Smith asked if there was any new information in regards to in person meetings. Jen Thompson replied that the city is still working on procuring all of the technology to host hybrid meetings and that most committees remain remote for now.

Motion to adjourn the meeting; Second; Roll call votes 6-0.

APPROVED
MEETING MINUTES

POLICE CITIZEN REVIEW SUBCOMMITTEE

September 14, 2022

Meeting Held Remotely Via Zoom

Members present: Emily West, Chair, Reggie Parson, Vice Chair; Anne Hardcastle; Tim Smith; Kay Kerina; Gino Desruisseaux

Members absent: Reverend Lewis

Staff present: Tracy Boyd

Call to order.

Motion to adopt minutes of July 13, 2022 meeting. Second. Roll call votes 6-0.

Chair West reviewed the agenda which included a quick overview of the IA checklist, two IA cases to review, in addition to ending with a discussion of prioritization of goals.

The group reviewed the IA checklist.

There was no public comment.

Executive session pursuant to 1 M.R.S. Sec. 405(6)(F) to discuss IA2022-004 and IA2022-006.

Motion to enter into Executive Session; Second; Roll call votes 6-0.

There was no public comment.

Out of Executive Session.

Motion that the IA2022-04 categorization of this complaint was appropriate and consistent with SOP 90; Second; Roll call votes 6-0.

Motion that the IA2022-06 categorization of this complaint was appropriate and consistent with SOP 90; Second; Roll call votes 6-0.

No public comment.

Discussion of goals:

In regards to training opportunities, the group completed this goal. Tim will provide the group with a link to PPD training software which will be available in the future. Reggie will check in with Major Martin during their monthly meeting in regards to current available trainings and will share that information with the subcommittee. Tim suggested that individuals check in with Lt. Titcomb if there is a specific training they are interested in attending.

The subcommittee is awaiting the results of the November election in regards to its goal of improving their interface with public officials and other committees.

The last goal of improving community engagement has not yet been formalized. Kay would like to see the Zoom meetings use closed captioning and improve accessibility to the meetings and forms (translation into another language not presently available). Kay will follow up Jessica Grondin to explore how the group might employ other forms of social media to encourage public participation.

For next month's agenda there are two cases to review, a Category U and a Category 2. Major Martin informed the group that the Cat. 2 involved two officers and that it contained many hours of body camera video. Emily believes that the Cat. 2 might encompass all of the meeting time and suggested leaving the agenda open.

Motion to adjourn the meeting; Second; Roll call votes 6-0.

APPROVED
MEETING MINUTES

POLICE CITIZEN REVIEW SUBCOMMITTEE

October 12, 2022

Meeting Held Remotely Via Zoom

Members present: Emily West, Chair, Reggie Parson, Vice Chair; Anne Hardcastle; Kay Kerina; Gino Desruisseaux; Reverend Lewis (joined at 6:18)

Members absent: Tim Smith

Staff present: Jen Thompson

Call to order.

Motion to adopt minutes of September 14, 2022 meeting. Second. Roll call votes 5-0.

Vice Chair Parson initiated a conversation regarding the possibility of the Police Department giving a presentation of their SOPS and how they relate to the work of the subcommittee, in addition to educating the public. The subcommittee decided to table the topic until the beginning of year.

No public comment offered.

Executive session pursuant to 1 M.R.S. Sec. 405(6)(F) to discuss IA2022-007 and IA2022-008, followed within the same executive session a discussion of the Subcommittee's review of records involving information about juveniles with Attorney Thompson pursuant to 1 M.R.S. Sec. 405(6)(E).

Motion to enter into Executive Session; Second; Roll call votes 6-0.

Out of Executive Session.

Motion that the IA2022-07 categorization of this complaint was appropriate and consistent with SOP 90; Second; Roll call votes 6-0.

Motion that the IA2022-08 categorization of this complaint was appropriate and consistent with SOP 90; Second; Roll call votes 6-0.
No public comment offered.

Discussion of goal assignments regarding training and expanding meeting access.
Kay updated the group with information from Jessica Grondin regarding social media posting. Jessica can post information for the group on the City's social media sites. Kay suggested the group produce a newsletter to share and reiterated that the subcommittee should also be using the closed captioning feature in Zoom. Kay proposed that the group talk to people to see how they can be reached and connected with, in addition to looking at possibly changing the time and venue of the meeting.
Reggie will continue his monthly check-ins with Major Martin (and often Emily), there were no training opportunity updates this month.

No public comment offered.

For next month's agenda there is one Category U case to review and a redacted Cat. 1 matter.

Motion to adjourn the meeting; Second; Roll call votes 6-0.

DRAFT
MEETING MINUTES

POLICE CITIZEN REVIEW SUBCOMMITTEE

November 9, 2022

Meeting Held Remotely Via Zoom

Members present: Emily West, Chair, Reggie Parson, Vice Chair; Anne Hardcastle; Kay Kerina; Gino Desruisseaux; Tim Smith; Reverend Lewis (joined at 6:02, after the meeting minutes were approved.)

Members absent: none

Staff present: Jen Thompson, Lt. Titcomb, and Major Martin

Call to order.

Motion to adopt minutes of October 12, 2022 meeting. Second. Roll call votes 6-0.

Emily acknowledged to the group that changes to the structure of the PCRS were approved by the voters. Jen added that Corporation Counsel is going to weigh in formally on the provision next week and told the group that it doesn't take effect until July 1, 2023, at which time, a new ordinance will be drafted. The subcommittee will continue working as it has until the new ordinance takes effect. Reverend Parson opined about whether the present members automatically carry over into the new group appointed by City Council. Jen stated that the status quo will carry forward into the summer of 2023.

No public comment offered.

Executive session pursuant to 1 M.R.S. Sec. 405(6)(F) to discuss IA2022-005 and IA2022-009.

Motion to enter into Executive Session; Second; Roll call votes 7-0.

Out of Executive Session. Kay recused herself from review of IA 2022-005.

Motion to find that IA 2022-005 was timely; second; roll call vote 6-0.

Motion to find that IA2022-005 was thorough; second; roll call vote 6-0.

Motion to find that IA 2022-005 was fair; second; roll call vote 6-0.

Motion to find that IA 2022-005 was objective; second; roll call vote 6-0.

Motion that the IA2022-09 categorization of this complaint was appropriate and consistent with SOP 90; Second; Roll call votes 7-0.

No public comment offered.

The group decided to cancel the December meeting. Jen told the group that there will be a representative from Corporation Counsel at the January meeting to answer all of their questions and offer guidance regarding the new ordinance and its effects on the incumbents. There is one Category U case to review in January.

Motion to adjourn the meeting; Second; Roll call votes 7-0.

Members thanked Jen for her work with the group.