

City of Portland
Police Citizen Review Subcommittee

AGENDA
February 9, 2022
6:00 PM

1. Zoom information

- a. On Wednesday, February 9, 2022 at 6:00 p.m., the Police Citizen Review Subcommittee will conduct a virtual meeting. This meeting will take place remotely using Zoom.

This meeting will be held remotely pursuant to the Remote Meeting Policy adopted by the Police Citizen Review Subcommittee and as authorized under 1 M.R.S. 403-B because of the existence of an emergency or urgent issue that requires the committee to meet by remote methods. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be available following the meeting.

For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

<https://us06web.zoom.us/j/81853666399?pwd=RjJQTzJJdExUcWJWdnk0TEIvb1VUdz09>

Passcode: 793372

Or One tap mobile :

US: +16465588656,,81853666399# or +13017158592,,81853666399#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 818 5366 6399

International numbers available: <https://us06web.zoom.us/j/81853666399>

2. Call to Order

3. Approval of the January 12, 2022 Draft Minutes

- a. Attached.

4. Public Comment Session

5. Set goals and timeline for 2022
6. Review PCRS PowerPoint Presentation
 - a. Will be presented during the meeting.
7. Review Charter Commission Report
 - a. Will be presented during the meeting.
8. Executive session pursuant to 1 M.R.S. Sec. 405(6)(F) to discuss IA2021-007
9. Adjourn

**DRAFT 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.

7:18 Motion to adjourn; Second; Roll Call Vote 5-0.

Overview of the Portland Police Citizen Review Subcommittee (PCRS)

Draft: 2/9/22



Current Membership

Emily West-Chair (Term expires March 2023)

Reggie Parson-Vice Chair (Term expires March 2023)

Rev. Kenneth Lewis (Term expires March 2022)

Kaylin Kerina (Term expires March 2023)

Tim Smith (Term expires March 2024)

Anne Hardcastle (Term expires March 2024)

Sarai Manyiel (Term expires March 2022)

Who We Are

- Created by City Council in 2001.
- Subcommittee reports to the City Manager.
- Seven volunteer civilians who are Portland residents.
- Appointed to three year terms by Portland City Council.
- Review PD Internal Affairs (IA) investigations of citizen complaints.
- Review cases to determine whether it was timely, fair, thorough and objective.

PCRS Meetings

- Meet on 2nd Wednesday of each month at 6pm.
- Meetings are open to the public, except when case discussion occurs.
- There is a public comment period.
- Meetings when discussing cases are in Executive Session pursuant to Maine law (1 M.R.S. Sec. 405(6)(F)).

Case Review & Discussion (Executive Session)

- All members are responsible for reviewing all audio, video and written materials provided by IA prior to the case.
- The Chair assigns a member of the PCRS prior to the meeting to debrief the case and provide an analysis of the case and procedural history from IA.
- The members will review the case to determine if the investigation conducted by IA was completed in an timely, fair, thorough and objective manner.
- After debrief and discussion, case is voted on in public and members individually vote to determine if it was completed in a **timely, fair, thorough** and **objective** manner by IA.

Strengths

- Experienced board members that are objective in reviewing each case and ask hard questions of Portland PD Command Staff.
- Opportunity to engage in a dialogue with each other, IA and Command Staff regarding the case facts and other issues we observed within the case.
- Receive all audio, video and written materials from the IA investigation prior to the case review.
- Made significant progress on engaging public with community survey and other elected bodies in 2020 and 2021.

Limitations

- Unable to discuss specific cases regarding Portland PD officers in public per State law and City ordinances.
- Unable to recommend, modify, comment or impose discipline against any officer per City code.
- Restricted on the presentation of policy or procedure recommendations to Portland PD/IA.

Opportunities Moving Forward

- Achieve greater transparency with the public with increased public outreach and education.
- Expand continuing education on law enforcement policies and practices for PCRS members (attend police trainings, go on ride alongs, etc).
- Develop stronger orientation materials for new PCRS members.
- Develop and release annual report by the end of Q1 in following year.

Relevant Legal Citations

Portland City Code on PCRS: (Page 52 of City Code)

<https://www.portlandmaine.gov/DocumentCenter/View/1066/Chapter-2-Administration---Revised-1042021>

Maine Law on Executive Session: 1 M.R.S. Sec. 405(6)(F)

<https://legislature.maine.gov/statutes/1/title1sec405.html>

Questions?



Overview of the Portland Police Citizen Review Subcommittee (PCRS)

Draft: 2/9/22



Current Membership

Emily West-Chair (Term expires March 2023)

Reggie Parson-Vice Chair (Term expires March 2023)

Rev. Kenneth Lewis (Term expires March 2022)

Kaylin Kerina (Term expires March 2023)

Tim Smith (Term expires March 2024)

Anne Hardcastle (Term expires March 2024)

Sarai Manyiel (Term expires March 2022)

Who We Are

- Created by City Council in 2001.
- Subcommittee reports to the City Manager.
- Seven volunteer civilians who are Portland residents.
- Appointed to three year terms by Portland City Council.
- Review PD Internal Affairs (IA) investigations of citizen complaints.
- Review cases to determine whether it was timely, fair, thorough and objective.

PCRS Meetings

- Meet on 2nd Wednesday of each month at 6pm.
- Meetings are open to the public, except when case discussion occurs.
- There is a public comment period.
- Meetings when discussing cases are in Executive Session pursuant to Maine law (1 M.R.S. Sec. 405(6)(F)).

Case Review & Discussion (Executive Session)

- All members are responsible for reviewing all audio, video and written materials provided by IA prior to the case.
- The Chair assigns a member of the PCRS prior to the meeting to debrief the case and provide an analysis of the case and procedural history from IA.
- The members will review the case to determine if the investigation conducted by IA was completed in an timely, fair, thorough and objective manner.
- After debrief and discussion, case is voted on in public and members individually vote to determine if it was completed in a ***timely, fair, thorough*** and ***objective*** manner by IA.

Strengths

- Experienced board members that are objective in reviewing each case and ask hard questions of Portland PD Command Staff.
- Opportunity to engage in a dialogue with each other, IA and Command Staff regarding the case facts and other issues we observed within the case.
- Receive all audio, video and written materials from the IA investigation prior to the case review.
- Made significant progress on engaging public with community survey and other elected bodies in 2020 and 2021.

Limitations

- Unable to discuss specific cases regarding Portland PD officers in public per State law and City ordinances.
- Unable to recommend, modify, comment or impose discipline against any officer per City code.
- Restricted on the presentation of policy or procedure recommendations to Portland PD/IA.

Opportunities Moving Forward

- Achieve greater transparency with the public with increased public outreach and education.
- Expand continuing education on law enforcement policies and practices for PCRS members (attend police trainings, go on ride alongs, etc).
- Develop stronger orientation materials for new PCRS members.
- Develop and release annual report by the end of Q1 in following year.

Relevant Legal Citations

Portland City Code on PCRS: (Page 52 of City Code)

<https://www.portlandmaine.gov/DocumentCenter/View/1066/Chapter-2-Administration---Revised-1042021>

Maine Law on Executive Session: 1 M.R.S. Sec. 405(6)(F)

<https://legislature.maine.gov/statutes/1/title1sec405.html>

Questions?

