

City of Portland
Police Citizen Review Subcommittee

AGENDA
May 11, 2022
6:00 PM

1. Zoom Information

*On Wednesday, May 11, 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. Please click the link below to join the webinar: <https://portlandmaine-gov.zoom.us/j/82417094245?pwd=cUZwVkJEwK2I0RjBHN25PRU4rK1hvZz09> Passcode: 044839 Or One tap mobile : US: +19292056099,,82417094245# or +13017158592,,82417094245# Or Telephone: Dial(for higher quality, dial a number based on your current location): US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 Webinar ID: 824 1709 4245 International numbers available: <https://portlandmaine-gov.zoom.us/j/82417094245?pwd=cUZwVkJEwK2I0RjBHN25PRU4rK1hvZz09>*

2. Call to Order

3. Approval of April 13, 2022 draft minutes
Attachment

a. Draft minutes

4. Potential Executive Session

The Subcommittee may 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).

a. Draft guidelines

5. New category policy

Discuss policy regarding review of new IA categories and decide whether to adopt the policy.

6. Public Comment

7. Executive session pursuant to 1 M.R.S. Sec. 405(6)(F) to discuss IA2022-02
8. Public Comment
9. Adjourn

**DRAFT 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.

PORTLAND CITIZEN REVIEW SUBCOMMITTEE: SUGGESTED GUIDELINES FOR EVALUATING “CATEGORY U” AND “CATEGORY 1” ALLEGATIONS UNDER PORTLAND POLICE DEPARTMENT SOP # 90

This document offers suggestive guidance to PCRS members as they review receipt and categorization of “Category U” and “Category 1” Allegations under the Portland Police Department’s SOP 90. This guidance and suggested review criteria are intended to ensure that the receipt, investigation, and categorization of such allegations are fair and in keeping with the purpose and intent of the City of Portland Code of Ordinances and the provisions establishing the Portland Citizen Review Subcommittee.

Below are some points to consider when reviewing Category U and Category 1 Complaints, understanding that complaints categorized as such do not undergo the full investigative process by internal affairs that other categories of complaints investigated by IA and reviewed by the PCRS do. This list should not be considered mandatory or exhaustive. Instead, it simply provides guidance to members of the PCRS as they undertake their work.

Created May __, 2022

- Was the complaint received and considered in an impartial, non-judgmental way?
- Was the basis for categorizing the complaint as a Category U or a Category 1 complaint clearly articulated in a written statement by the Portland PD?
- Was the articulated basis for categorizing the complaint as a Category U or a Category 1 complaint consistent with SOP 90 issued by Portland PD?