

**City of Portland**  
**Police Citizen Review Subcommittee**

**AGENDA**  
**June 8, 2022**  
**6:00 PM**

1. Zoom Information

*On Wednesday, June 8, 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: When: Jun 8, 2022 06:00 PM Eastern Time (US and Canada) Topic: June 8, 2022 PCRS Meeting Please click the link below to join the webinar: <https://portlandmaine-gov.zoom.us/j/89304268549?pwd=N0hDa1kyVFg3ZWZ6OGdKUjNPdm5aUT09> Passcode: 044839 Or One tap mobile : US: +19292056099,,89304268549# or +13017158592,,89304268549# 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: 893 0426 8549 International numbers available: <https://portlandmaine-gov.zoom.us/j/89304268549?pwd=N0hDa1kyVFg3ZWZ6OGdKUjNPdm5aUT09>*

2. Call to Order

3. Approval of May 11, 2022 minutes

a. Attachment

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

a. Attachment

5. Public Comment

6. Discuss and prioritize subcommittee goals for 2022.

7. Public Comment

8. Review draft annual report.
9. Public Comment
10. Adjourn

**DRAFT 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 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> 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.

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 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?
- Was the complaint handled and/or resolved in accordance with deadlines included in SOP 90 issued by Portland PD?
- Was the complaint received and considered in an impartial, non-judgmental way?

DRAFT