

## **In My Opinion – Review Board Needs Heft, Transparency**

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Several weeks ago after the release of a consultant's report on the Independent Police Review Division, *The Oregonian* praised Portland City Auditor Gary Blackmer's efforts in creating a system that "works behind the scenes" to get the Portland Police Bureau to improve itself.

But whether working behind the scenes is the best approach should be a question when the City Council conducts a public hearing at 2 p.m. Thursday on the auditor's report.

Consultant Eileen Luna-Firebaugh, a respected police review board expert, outlined numerous reasons why working in this manner can lead to public mistrust, defining transparency as "the public's right to know the public's business." She goes on to say, "In any city that has an involved citizenry and an activist community, lack of transparency and community involvement in the process can have serious negative repercussions.

"One of the primary reasons the community does not trust the system is that those who feel they have been mistreated by police file their complaints with this 'independent' office, which then turns the investigations over to police officers in the police bureau's internal affairs division."

Although the review board has the authority to conduct independent investigations in certain circumstances, it never has used this power. Luna-Firebaugh notes that a review board such as Portland's "can be both highly effective and have a high community satisfaction level, if the possibility of independent investigation is actual, rather than just in writing."

She recommends that the review division's Citizen Review Committee be empowered to direct the review board to conduct these investigations, including cases "of public import."

Ideally, a review board develops policy recommendations through information obtained from appeals of citizen complaints, review of closed complaint files and public forums. Based on those efforts, recommendations on policy changes are forwarded to the bureau.

The consultant found that the review commission and auditor prefer negotiating privately with the Police Bureau regarding policy promulgation and development.

She goes on to say that, "while the emphasis on policy and procedural development is laudable, the 'behind the scenes' approach subverts the move toward transparency that is a fundamental premise of civilian oversight."

A citizens' review committee with a more assertive role in policy development would fit well with a Portland that prides itself on community policing. In our society, we give the police, in essence, the power of life and death in the name of protecting our safety and enforcing laws. It is incumbent upon our elected officials to ensure the Police Bureau receives consistent monitoring and improvement because it has such power. The responsibility is daunting.

Since the report's release, there has been some discussion about which elected official should take on the challenge. One city commissioner suggested moving police review into the police commissioner's office.

The concern over the conflict created when the bureau and its oversight agency were sited in the same office led to its removal from Mayor Vera Katz's office in 2001.

Perhaps a more workable idea would be to move independent police review, the ombudsman and the new office of human relations into a separate agency, reporting to the council as a whole and protected from budgetary and organizational dismemberment for political purposes.

***Debbie Aiona** of the League of Women Voters of Portland and **Dan Handelman** of Portland Copwatch both served on the mayor's work group in 2000, which led to the creation of the Independent Police Review Division.*