

PSF-5.05 - Independent Police Review - Appeal Requests

Independent Police Review - Appeal Requests

Administrative Rules Adopted by Auditor's Office Pursuant to Rule-Making Authority

ARB-PSF-5.05

1. IPR shall accept a request for review by the Citizen Review Committee from a complainant or Police Bureau member that complies with City Code 3.21.140 (D), which requires:
 - a. The name, address, and telephone number of the appellant;
 - b. The approximate date the complaint was filed (if known);
 - c. The substance of the complaint;
 - d. The reason or reasons the appellant is dissatisfied with the investigation and/or recommended finding.
2. For the Director to accept a request for review, for each allegation investigated, the person making the request (Appellant) must articulate specifically why they believe the investigation was insufficient or a recommended finding inappropriate.
3. If an Appellant fails to state why they are dissatisfied with the completed investigation and/or recommended finding in their request for review, IPR will notify the Appellant that their request for review is incomplete and does not comply with the requirements of 3.21.140(D). IPR will provide the Appellant an additional week to resubmit their request for review.
 - a. If the resubmitted request for review is still materially deficient, IPR will close its file and decline to schedule an appeal.
4. The Director may accept filings beyond the 14 calendar day deadline, if good cause is established. Examples of good cause include when the Appellant has:
 - a. Limited English language proficiency.
 - b. Physical health, mental health, or educational issues that contributed to an untimely request for review.
 - c. Notified IPR that they are currently incarcerated outside of Multnomah County and the standard appeal deadline will cause undue hardship.
 - d. Notified IPR that they are currently experiencing homelessness.
5. The Director may accept a community member's request to mediate a completed investigation in lieu of an appeal as an alternative for complaint resolution in the manner described in Protocol 5.09(13).
6. Once an appeal request is accepted, IPR shall review the case and decide whether it believes further investigation is warranted in accordance with Section 7 below. Once the Director is satisfied the investigation is complete, IPR will schedule the appeal before the Citizen Review Committee at the earliest available date. IPR will

Effective Date: September 1, 2018

make the case file available to the Committee for its Case File Review required by City Code Chapter 3.21.150.

7. After IPR accepts the Appellant's request for review, and if Internal Affairs was the original investigating agency for the complaint, the Director will notify Internal Affairs if further investigation or consideration of the evidence appears warranted and the rationale for that recommendation. If Internal Affairs declines to conduct further investigation or reconsideration of evidence, IPR may conduct further investigation as the Director deems appropriate. If IPR was the original investigating agency for the complaint, then IPR may conduct further investigation as the Director deems appropriate. The Director will notify the Chief of Police of any additional investigative efforts conducted by IPR.
 - a. The scope of the additional investigation should not go beyond the allegations originally investigated.
 - b. The additional investigation should be completed in as timely a manner as possible.
8. After additional investigation, if any, has been completed, IPR will notify the Appellant and involved officer the parties of the additional investigation and changes, if any, to the outcome of the investigation. At the earliest possible date, IPR will set a date for a hearing before the Committee. IPR will notify all parties of the hearing date.