



October 26, 2021

Commissioner JoAnn Hardesty
1221 SW 4th Ave. Room 230
Portland OR 97204

Re: IPR Case No. 2021-C-0031

Dear Commissioner Hardesty,

On 03/05/2021, the Portland Police Bureau's Internal Affairs (IA) unit opened a complaint about the conduct of Portland Police Officer **Brian Huzeker, Kerri Ottoman and Ken Le**. IA identified you as the complainant. The Independent Police Review (IPR) was notified of the complaint and Internal Affairs conducted a formal administrative investigation into the incident. After we approved the completed investigation, it was sent to the officer's senior manager for a determination (the Police Bureau calls this a finding) whether the evidence proves misconduct. That investigation is then reviewed by an Assistant Chief of Police, the Captain of the Professional Standards division, and myself, for our individual determination of whether the evidence proves misconduct.

I have enclosed a letter from Internal Affairs explaining the ultimate finding of your complaint. As you review it, please keep in mind that the investigation and findings were part of a disciplinary proceeding in which misconduct allegations must be proven by a preponderance of the evidence.

If you disagree with the results of this investigation you may contest the results of the investigation and findings by returning the enclosed Request for Appeal form to IPR on or before **11/09/2021**. Appeals are reviewed by the Citizen Review Committee, an independent body appointed by the City Council.

If you return the enclosed form, IPR staff will schedule a hearing. You and the officer may attend and participate. Although neither of you are required to attend, the Citizen Review Committee encourages both parties to attend, make a statement, and answer questions from committee members. If you would like assistance and guidance through the process and at the hearing, IPR will provide you with an Appeal's Process Advisor who has extensive experience with CRC appeals. Other volunteers may also be available to support you if you chose to appeal.

Appeal hearings are open to the public and may be videotaped and possibly aired on local cable access television.

At the end of the hearing, the Citizen Review Committee will vote to affirm or challenge the findings or to return the case to Internal Affairs for more investigation. If the committee affirms the findings, the



appeal will be concluded and the case closed. If the committee challenges the findings or requests more investigation, the case will be returned to the Police Bureau for consideration of the committee's recommendations.

If the Police Bureau rejects the committee's recommendations, the committee and the Police Bureau will schedule a settlement conference to resolve their disagreement. You and the officer will be notified about the conference and may attend. If the committee and the Police Bureau reach agreement, the appeal will be concluded and your case will be closed. If they do not reach agreement, the Independent Police Review Director will schedule the case for a hearing before City Council.

Independent Police Review will notify you about all hearing dates, but it is your responsibility to notify us immediately if your phone number or mailing changes.

If you have any questions about the appeal process, go to the IPR website at www.portlandoregon.gov/ipr. Click the "Request for Appeal Form" link on the right side of the home page. You may also call 503-823-0146 for information.

IPR monitors all complaints involving Portland police officers. This complaint is stored in a database that we use to analyze patterns of conduct as they emerge over time. These reviews help to improve the quality of police services to the community in the long term.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ross Caldwell', written in a cursive style.

Ross Caldwell
Director