

**Moore-Love, Karla**

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**From:** Heather Franklin <heatherreb@gmail.com>  
**Sent:** Wednesday, October 12, 2016 8:17 AM  
**To:** Council Clerk – Testimony; Moore-Love, Karla  
**Subject:** Agenda item 1142 City council meeting 10.12.2016  
**Attachments:** City Council Testimony 10.12.16.docx

Hello,

I'd like my comments entered into the record. I'm trying to make the the meeting, but I'm having childcare challenges.

Thank you kindly,  
Heather Franklin

Good morning Mayor Hales & City council persons,

{My name is Heather Franklin. I'm an Oregon native and mother of 4. My family and I spent five years in Newark, NJ prior to moving back last summer. Since moving back, I've become increasingly aware and appalled by the goings on of the Portland Police, Mayor's office and city council. I've attended marches and protests where police show up in riot gear, the gang unit showed up in large numbers to forcefully intimidate and officers assaulted both adults and children. }

This weekend, American police killed 8 people. That's more than most developed nations kill in an entire year. The rub is, this comes no surprise to anyone paying attention and as we know, the Portland Police Department has its own history of brutal and racist policing. {It's horrifying. The over-policing. The abuse of power. The brutality. The lack of accountability. The cost. The disregard for human life. }What I see here in Portland with this contract is an abuse of public office in order to uphold & reinforce our white supremacist, police state.

I've witnessed Mayor Hales fail to uphold his promise of a community meeting & dialogue here at city hall. I've read letters sent by the mayor's office to my neighborhood association attempting to scare middle class white people into supporting your backdoor dealings with the police union. I've witnessed Mayor Hales abuse his power by shutting down public comment, arresting folks for speaking out in protest and in a sea of outrage call for the arrest of one person - Teresa Raiford - seemingly because the Mayor is uncomfortable being challenged by a powerful Black woman. I've witnessed dozens of police occupy this building in response to verbal dissent. After being threatened with arrest by your security - with my toddler on my lap - I exited the chambers to find DHS officers and then we exited the building to find we were surrounded by homeland security. And you have the nerve to claim we have a police shortage? That we need to throw millions dollars at this so-called shortage? At a time when crime is at an all time low? How much money, Sir, have you wasted intimidating those who elected you and pay your salary? How has your position as Commissioner of the Police corrupted the Mayor's office?

I ask, because this entire process defies logic. {Approximately one year ago, the department of justice issued a 93 page report detailing huge problems with our police force. This came no surprise to anyone interested in police accountability, the Portland Police Department has an extensive history of brutal and racist policing. This city is in dire need of real police reform & police accountability. The public has been demanding that the Police Union contract dealings be transparent, public, include community stakeholders in all steps and given proper time.} The current union contract expires in July 2017. Mayor elect Wheeler takes office in two months allowing ample time to develop, with his constituents, and ratify a contract that serves not just the police union, but all of us.

Why deny the Mayor who will serve with the contract, the opportunity to work with the public to develop it?

After learning that Cody Berne, one of the cops who shot and killed Keaton Otis has been hired as prosecutor in the Portland District Attorney's office, I'm curious about your next over Mayor Hales. When you leave the Mayor's office, is it your intention to accept a paid position with the police union?

What are the 11 grievances this proposed contract settles? Will they provide back pay to racist, violent cops? Will they pay off officers accused of sexual misconduct? Will they move murderers like Kyle Nice from positions where they assault protesters to SROs where they can assault our children? Will we pay off and apologize to Nazi sympathizers like Police captain Mike Kruger?

Why the across the board raises without performance review or evaluation? Why the pension raises? This \$6-10 Million dollars for unearned raises will be taken from the same pot of money that funds homeless services, parks services, and emergency response staff. That's criminal. We have a housing crisis, 88 homeless people died on our streets last year. Are we really going to take monies that could help house the most vulnerable to give unwarranted raises to police? Criminal – robbing the poor to embolden those with way too much power. I'm ashamed to be a part of a city that could even consider such a thing.

Finally, why Mayor, do you continue to, in spite of all of the direct disagreement from community based, civil liberty organizations, media reports and even your own city auditor, continue to say that this contract does not deal with body cameras? Body Camera policy SHOULD NOT BE PART OF THE POLICE UNION NEGOTIATIONS FOR PAY. Full Stop. Just because a major presidential candidate states and re-state blatant lies, does not mean you should. I've listened to and read every single testimony and document and communication about this topic as I can because I simply cannot understand why you are lying to those you have sworn an oath to serve. Why you are denying due process and public involvement. Why you treat your constituents with such disregard & disrespect.

Table the contract. Do your job.

Heather Franklin

**Parsons, Susan**

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**From:** Briana Staples <briana.staples@gmail.com>  
**Sent:** Wednesday, October 12, 2016 3:00 AM  
**To:** Commissioner Fritz; Commissioner Fish; Hales, Mayor; Commissioner Novick; City Auditor, Mary Hull Caballero; Commissioner Saltzman; Parsons, Susan  
**Subject:** Do not sign Police Union Contract

Mayor and commissioners,

I do not approve of the Police Union Contract. This contract is a disservice to your community. You witnessed a unanimous vote against the contract. We're charging you to make an honorable decision on behalf of your constituents. Do not sign this contract.

Briana Staples

**Moore-Love, Karla**

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**From:** pdx97217@gmail.com on behalf of Mental Health Association  
<info@mentalhealthportland.org>  
**Sent:** Tuesday, October 11, 2016 6:52 PM  
**To:** Commissioner Fish; Hales, Mayor; Fritz, Amanda; Commissioner Novick; Commissioner Saltzman  
**Cc:** Kanwit, Anna; Hull Caballero, Mary; Finn, Brendan; Warner, Chris; Crail, Tim; Pierce, Tera; Schmanski, Sonia; Moore-Love, Karla  
**Subject:** Please do not approve proposed labor agreement with PPA

Mr. Mayor and Commissioners,

We write today at the urging of our fellow social justice advocates asking you to not approve the proposed labor agreement between the City and the Portland Police Association.

We appreciate Mayor Hales' zeal to eliminate the 48-hour rule, but there is so much more to do, so the time is not ripe to pursue or make an agreement.

We appreciate a proposed increase in pay for officers. We want positions at the PPB to be both attractive and comfortable for recruits and experienced officers. But approving this increase now creates an unexpected out-of-cycle windfall, something like a payoff to achieve a "legacy" vote for a mayor who has been ineffective to date as police commissioner.

There are many additional and important items to negotiate. Many. For example Article 21 of the agreement still contains a significant flaw which injured – perhaps crippled – our past three mayor / police commissioners.

The police commissioner should be able to terminate an officer for cause; not only for just cause.

The difference of one word is complex and controversial, but determines whether the agreement suits the interest of the people or submits to unreasonable standards and delay. We should not be bound by rules which injure the mayor, injure the community, and perhaps threaten our civility. We're not negotiating life and death here – just whether we want someone to continue to work for us or not.

We appreciate labor interests: termination for cause should be reserved for dire circumstance – but that power must be in the hands of the people through their elected representatives. Our mayor should have the power to decide who works for our city, and who does not.

It's premature to negotiate this agreement, and premature to approve of it.

We ask you to not approve the proposed labor agreement between the City and the Portland Police Association.

Jason Renaud and Jenny Westberg  
On behalf of the Mental Health Association of Portland  
[www.mentalhealthportland.org](http://www.mentalhealthportland.org)

**Parsons, Susan**

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**From:** Mason Hiatt <masonhiatt@gmail.com>  
**Sent:** Monday, October 10, 2016 11:01 AM  
**To:** Parsons, Susan  
**Subject:** Cancel or Amend Proposed Police Union Contract - save it for the next mayor!

Dear Susan Parsons,

Arbitration must no longer allow killer cops to keep their jobs.

1. Employee evaluations DO belong in a contract: it is long past time to re-define hiring and promotion strategy and goals.
2. Test cops who've used force for drugs (like steroids).
3. The proposed contract offers no whistle-blower protections for the 12 cops who've anonymously claimed reform is in the community interest.

Only through a public process, folding best practices into a comprehensive vision, will policing change. **The people most effected by violent, racist cops must decide employee hiring and retention strategies.** The DOJ was correct in ruling that Portland Police is prejudiced in the way it deals with POC and the mentally ill.

City consultants have long explained a 48-hour rule, allowing cops who use lethal force to cook up 'plausible but untrue' accounts, inhibits delivery of justice. Council will swap this rule for an open-ended period, where killers dovetail after-action reports with whatever body cameras reveal. Cops lie, people die.

For ten million dollars, we ought to get so much more. The nation has moved on from backroom deals: police accountability now relies on metrics-based systems, setting benchmarks and specifying expected performance improvements.

If this proposed contract is not postponed or VASTLY changed, Portland Police will continue to mistreat people of color and the mentally ill. I am white, and I still witness their misbehavior EVERY SINGLE DAY, whether it is dangerous speeding or belligerent behavior towards the very people who pay their salaries.

Thanks for your attention.

Sincerely,  
Mason Hiatt

**Parsons, Susan**

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**From:** Kelly Francois <kelfran13@gmail.com>  
**Sent:** Monday, October 10, 2016 10:56 AM  
**To:** Parsons, Susan  
**Subject:** Written Testimony on Police Union Contact

I used to be the white moderate mentioned in Dr. Martin Luther King's famous letters from a Birmingham jail. I was part of the problem. Then, I began researching and educating myself on the systemic racism in our country. And I began listening to the voices that had a reality I didn't fully understand.

None of us here can deny the HUGE racial disparities in our criminal and judicial systems.

I am embarrassed to admit that for so long, I thought these injustices weren't my issue. I thought because police brutality with impunity wasn't happening to me, that it wasn't 'really' happening. I had the white privilege to ignore the cries of my black and brown brethren.

When social justice warriors raise the alarm about a problem, I don't ignore it anymore.

Will you fulfill your job as elected officials and stop and listen? What is the rush on this contract? How can we, white people, make sure our marginalized communities are being heard?

We've done so much wrong to our communities of color here in Portland - now is our chance to do some right.

Postpone the signing of this contract to allow for plenty of transparency and public input. There is no harm in waiting, there is immeasurable harm in rushing.

I want to use my privilege for positive social change. Will you?

Kelly Francois  
504-289-5805

**Parsons, Susan**

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**From:** Rhea Wolf <rheawolf22@yahoo.com>  
**Sent:** Saturday, October 08, 2016 7:46 PM  
**To:** Parsons, Susan  
**Subject:** Amend Police Union Contract NOW

To Susan Parsons,

What happened regarding the secrecy and silencing of public input regarding the police contract is outrageous, inexcusable, and dangerous. I demand that the mayor and city council immediately resolve this issue by making the police budget and contract negotiations a transparent, inclusive public process. The plan to retain cops' self-exoneration scheme and anchoring public policy (like body-worn cameras) in long-term hiring agreements is unnecessary.

Portland police culture is a morass. The deal eliminates a cesspool of undisclosed grievances, yet gives bounties for officers to induce like-minded recruits. The deal offers no whistle-blower protections for the 12 cops who've anonymously claimed reform is in the community interest. Only through a public process, folding best practices into a comprehensive vision, will policing change. The public **MUST HAVE A VOICE** in deciding how employees are hired and retention strategies.

For ten million dollars, we ought to get so much more. The nation has moved on from backroom deals: police accountability now relies on metrics-based systems, setting benchmarks and specifying expected performance improvements.

Racial profiling must end. The police culture in the nation's whitest city of its size must change. We need transparent processes that bring the best of our community into a mutual compact. We need academics and subject matter experts to propose solutions to illegal use of force and biased policing.

We, the people of Portland, demand that you take this matter seriously. What happened last week is deplorable. So, what are YOU going to do about it?

Sincerely,  
Rhea Wolf  
4906 SE 136th Avenue  
Portland, OR 97236

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Rhea Wolf



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*"The universe is made up of stories, not of atoms." -- Muriel Rukeyser*

**Parsons, Susan**

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**From:** CJ Gillen <seajaygill@gmail.com>  
**Sent:** Sunday, October 09, 2016 5:50 PM  
**To:** Parsons, Susan  
**Subject:** City Council vote on Police contract

As a Portland resident I want to urge all Council members to vote no on this contract, which has failed to enact fairness safeguards important to the community. Protect and Serve not Harass and Occupy!

Carolyn Gillen  
SE Portland, 97206

**Moore-Love, Karla**

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**From:** Mary Ann Schwab <e33maschwab@gmail.com>  
**Sent:** Wednesday, October 05, 2016 8:40 AM  
**To:** Moore-Love, Karla  
**Cc:** Hales, Charlie; Commissioner Novick; Commissioner Saltzman; Commissioner Fish; Comm. Amanda Fritz  
**Subject:** Respect City Auditor's memo outline concerns about accountability and those of Cop watch -- Table it.

**MAS asked the Mayor to table signing the Contract -- - until Mayor Ted Wheeler takes office. Gives each of you additional time to review the**

**final Comp Plan 2035. s urging the Mayor to postpone a vote on the contract until both are addressed.**

Hi, it came to my attention that the Mayor has been lobbying the Neighborhood Associations to send supportive letters to City Council about the Portland Police Association contract. It's unfortunate that he's framing the issue only in terms of adding benefits to attract more officers. There are many issues about holding officers accountable that we've been working on for decades that the Mayor did not bring up in negotiations. For instance, the clause that allowed Officer Ron Frashour to be reinstated despite his shooting the unarmed Aaron Campbell in the back in 2010.

The elected City Auditor wrote a memo to Council today also, outlining concerns about accountability:

<https://www.portlandoregon.gov/ipr/artic...>

I trust individuals throughout the City agree, "adding more police doesn't negate the need for police accountability" and urging the Mayor and City Commissioner to postpone a vote on the contract until both are addressed and signed by the new City Council in February, 2016. At the very least, invited Ted Wheeler to the table to address his concerns as new Mayor Elect!

I fully support the City Auditor and Copwatch, a project of Peace and Justice Works [ [copwatch@portlandcopwatch.org](mailto:copwatch@portlandcopwatch.org) ].

Thank you  
Mary Ann Schwab, Community Advocate  
605 SE 38th Avenue  
Portland, Oregon 97214-3203

**Moore-Love, Karla**

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**From:** Anil Karia <anil@pslglawyers.com>  
**Sent:** Thursday, October 06, 2016 9:12 AM  
**To:** Moore-Love, Karla  
**Cc:** Amberg, Mark; Daryl Turner  
**Subject:** Fwd: Letter from Daryl Turner  
**Attachments:** 20161006084227547.pdf; ATT00001.htm

Ms. Moore-Love -

This letter is written testimony submitted by the Portland Police Association regarding the PPA collective bargaining agreement agenda item before City Council today. I believe it's agenda item 1109.

Anil Karia

Begin forwarded message:

**From:** Annie Lamb <Annie@ppavigil.org>  
**Subject:** Letter from Daryl Turner  
**Date:** October 6, 2016 at 7:48:36 AM AKDT  
**To:** "amanda@portlandoregon.gov" <amanda@portlandoregon.gov>, "mayorcharliehales@portlandoregon.gov" <mayorcharliehales@portlandoregon.gov>, "nick@portlandoregon.gov" <nick@portlandoregon.gov>, "dan@portlandoregon.gov" <dan@portlandoregon.gov>, "novick@portlandoregon.gov" <novick@portlandoregon.gov>  
**Cc:** "karla.moore-love@portlandoregon.gov" <karla.moore-love@portlandoregon.gov>, Anil Karia <anil@pslglawyers.com>, Daryl Turner <Daryl@ppavigil.org>, "michael.marshman@portlandoregon.gov" <michael.marshman@portlandoregon.gov>, "anna.kanwit@portlandoregon.gov" <anna.kanwit@portlandoregon.gov>, "mark.amberg@portlandoregon.gov" <mark.amberg@portlandoregon.gov>

Please see attached letter.

Thank you,

Annie Lamb  
Office Manager  
Portland Police Association  
1868 N Lombard, Portland, OR 97217  
(503) 225-9760

# Portland Police Association



Officer Daryl Turner, PRESIDENT  
Sergeant Tom Perkins, SECRETARY TREASURER

188037

October 6, 2016

Mayor Charlie Hales  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Steve Novick  
Commissioner Dan Saltzman  
1221 SW 4<sup>th</sup> Ave.  
Portland, OR 97204

RE: PPA Tentative Agreement

Mayor Hales and City Commissioners:

I understand that questions have arisen regarding the impact of the City and the PPA entering into a new collective bargaining agreement on future police accountability discussions, such as revisions to City Code regarding the Citizen Review Committee. Consistent with State collective bargaining law, the PPA will continue to engage in discussions and negotiations with the City over accountability measures—which directly implicate the disciplinary system for PPA members—even after the new collective bargaining agreement is finalized.

For instance, the PPA and City officials have two meetings scheduled the week of October 17<sup>th</sup> to discuss the proposed City Code changes that City Council recently considered. Also, I will be participating in the stakeholder group that has been organized to consider those Code changes in response to City Council direction. That group is slated to meet the week of October 24<sup>th</sup>. Both of these important steps will take place after approval of our new collective bargaining agreement.

Sincerely,

Daryl Turner  
President

cc: Karla Moore-Love, City Council Clerk  
Chief Mike Marshman  
BHR Director Anna Kanwit  
Mark Amberg, City Attorney's Office

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**Parsons, Susan**

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**From:** City Auditor, Mary Hull Caballero  
**Sent:** Thursday, October 06, 2016 5:09 PM  
**To:** Parsons, Susan  
**Subject:** FW: Police contract

-----Original Message-----

**From:** Kelly Iverson [mailto:kelly.e.iverson@gmail.com]  
**Sent:** Thursday, October 06, 2016 2:41 PM  
**To:** Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>  
**Subject:** Police contract

As a resident of Portland I am deeply concerned about the passage of the Portland Police contract. I demand that the ratification of this contract be halted.

Specifically I am dissatisfied with

- 1) lack of public input
- 2) Police would be allowed to review video before writing their reports.
- 3) Does not ensure public access to video footage.
- 4) It ensures big money bonuses and raises with NO expectation of officers conduct or evaluations
- 5) Includes no measure on Police accountability

I am a white person so I do not feel terrorized myself by PPD but I am terrified on behalf of the black Portland residents.

Kelly Iverson

**Moore-Love, Karla**

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**From:** Teresa Roberts <trecanoe@yahoo.com>  
**Sent:** Thursday, October 06, 2016 10:46 AM  
**To:** Commissioner Fritz; Commissioner Fish; Novick, Steve; Commissioner Saltzman; City Auditor, Mary Hull Caballero  
**Cc:** Hales, Mayor; Moore-Love, Karla  
**Subject:** No Police Contract Renewal

I support our elected City Auditor in questioning Hales' suggested police contract negotiation. Lame Duck Hales has run through 3 police chiefs, 2 of whom he put in place himself. Hales ae Duck Hales should receive a vote of no confidence, having proven in the KKKruger settlement that he cannot even read through page 2 of a contract. Let's leave this task for a more competent mayor. Please do not support him.

Thank you,  
Teresa Roberts

Please keep my comments in public record and forward them to involved parties within the City. thank you.

**Moore-Love, Karla**

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**From:** mvogelpnw@gmail.com on behalf of Mary Vogel <mary@plangreen.net>  
**Sent:** Wednesday, October 05, 2016 3:39 PM  
**To:** Hales, Mayor; Fritz, Amanda; Commissioner Fish; Novick, Steve; Saltzman, Dan  
**Cc:** Moore-Love, Karla  
**Subject:** Parking Minimums & Mixed Use Zones

Dear Mayor and Commissioners,  
I came down to City Hall today to testify in support of Oregon Walks letter to you about minimum parking standards in Centers and Corridors--written by our young Board president, Aaron Brown. But I was LOCKED OUT!!! I called a couple of you to let me in, but no dice.

I want to include in my own testimony a paragraph that got left out of our OW testimony:

*Given that future development and adoption of autonomous vehicles might suddenly render all urban parking structures irrelevant to our built form, it's difficult to provide any meaningful or rational explanation for why we continue to stall on making progress towards a litany of policy objectives because of a fierce adherence towards the principle that subsidies for private automobiles are sacrosanct.*

Please try to recapture some affordability for young people like Aaron and Noel Mickelberry by heeding our request.

Mary Vogel, CNU-A



Bringing services nature provides to community design & planning  
A Woman Business Enterprise/Emerging Small Business in Oregon  
503-245-7858  
[mary@plangreen.net](mailto:mary@plangreen.net)  
<http://plangreen.net>

Blog: [Housing Affordability - Put a Bern on It](#)







## **Frequently Asked Questions (FAQs)**

**My policies are driven by a goal to make everything we love about Portland accessible to all Portlanders, and that means citizens being safe in all areas of the city, as well as feeling safe through public trust in first responders.**

Portland's Collective Bargaining Agreement will **efficiently fill officer vacancies with quality men and women from Portland's diverse communities, people who believe in service and quality relationships in the community.** And right now, that's urgently needed as Portland faces a **police staffing crisis—83 sworn vacancies and 22 retirements scheduled for this month.** For perspective, there are 200 vacancies across the state of Oregon; the City of Portland accounts for just under half of that number.

**Portland's Collective Bargaining Agreement with our police union not only will address our police staffing crisis, but also reinforce a modern police bureau of accountability and transparency that fully represents our community—including the removal of the outdated 48-hour Rule and alignment with the U.S. Department of Justice Settlement Agreement to continue implementing critical police reforms.**

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More information is provided in the [Portland Police Association Contract Frequently Asked Questions \(FAQs\)](#), and on the City Auditor's website, where you can read the [Collective Bargaining Agreement \(CBA\)](#), [City Ordinance 1109](#) and [Tentative Agreement \(TA\)](#), and the [DRAFT Body Worn Camera Policy](#).

As always, please contact me and my staff directly with your questions and concerns at [mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov) or [503-823-4120](tel:503-823-4120).

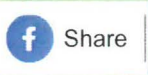
Sincerely,



Charlie Hales  
Mayor, City of Portland

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Mayor Charlie Hales  
1221 SW Fourth Avenue, Suite 340  
Portland, Oregon, 97204

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**Moore-Love, Karla**

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**From:** Judy PMSI <pmsi\_92@hotmail.com>  
**Sent:** Wednesday, October 05, 2016 2:46 AM  
**To:** Hales, Charlie; Fritz, Amanda; Saltzman, Dan; Fish, Nick; Novick, Steve; Council Clerk –  
Testimony  
**Subject:** Support for Ratification of PPA

This is in support of the ratification of the PPA.

I live in Lents, which has recently been hard hit by criminals preying on both the homeless and the housed. I was robbed while in my house last July, and I call in suspicious cars in my block that turn out to be stolen.

When police staffing was high, my neighbors and I helped the police to close a couple of drug houses and roust the criminals from our neighborhood. We had a good relationship with the police. They increased patrols in our area, came on every call, and taught us how to differentiate criminal behavior from suspicious behavior.

Now, we are facing more frequent disturbances and longer times for police response. Neighbors complain that they call and get no response at all. We see more "strangers" on our street, and fewer officers. Those that we see are not familiar; they seem to be here for a while, and then they're gone. I understand that police staffing is at an all-time low. I volunteered with the police bureau through most of the 90s and watched how community policing and high staffing levels provided reassurance to my community. I still have acquaintances among Police Bureau personnel, and it's sad to see how stressed and demoralized they are. It's hard on everyone when you're on a team with members missing.

I believe we need more officers. I believe the PPA is supported by most of the current sworn officers, and it could be the morale boost they need. I believe the PPA provides more incentive to attract officer candidates. The quality of those candidates and the officers they become is the responsibility of the hiring authority and the training division.

While I have read only the changes published by the Mayor's office, I believe we elected City Commissioners who are careful stewards of my tax dollars and are in a better position than I to evaluate what this contract means for our less-educated, lower-income residents as well as for our more well-heeled ones. I hope that my trust in our leadership is not misplaced; for now, that trust is in your judgment. For myself, I support our Police Bureau and if this contract will give them a vote of confidence, as well as an increase in pay, this single citizen votes to ratify the contract.

Thank you.

*Judy Low*  
*P.O. Box 86573*  
*Portland, OR 97286*  
*503-788-3068*

**Moore-Love, Karla**

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**From:** Pastor J W Matt Hennessee <pastor.matth@comcast.net>  
**Sent:** Wednesday, October 05, 2016 8:55 AM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Letter in support of the City and Police Union Contract  
**Attachments:** Pastor Hennessee's Written Testimony to the Portland City Council in support of the Police Contract October 4 2016.pdf

**From:** Pastor J W Matt Hennessee [mailto:pastor.matth@comcast.net]  
**Sent:** Tuesday, October 04, 2016 4:46 PM  
**To:** 'tera.pierce@portlandoregon.gov' <tera.pierce@portlandoregon.gov>; 'tom.peavey@portlandoregon.gov' <tom.peavey@portlandoregon.gov>; 'Edwards, Antoinette' <Antoinette.Edwards@portlandoregon.gov>; 'McMillen, William' <William.McMillen@portlandoregon.gov>; 'Dan.Saltzman@portlandoregon.gov' <Dan.Saltzman@portlandoregon.gov>; 'charlie.hales@portlandoregon.gov' <charlie.hales@portlandoregon.gov>; 'steve.novick@portlandoregon.gov' <steve.novick@portlandoregon.gov>; 'nick.fish@portlandoregon.gov' <nick.fish@portlandoregon.gov>; 'amanda.fritz@portlandoregon.gov' <amanda.fritz@portlandoregon.gov>  
**Cc:** 'team6409@aol.com' <team6409@aol.com>; 'Patricia Montgomery (vafbchurch1@aol.com)' <vafbchurch1@aol.com>  
**Subject:** Letter in support of the City and Police Union Contract

Good evening everyone:

I am passing along this letter written in support of the City and Police Union Contract.

If you have any questions, please feel free to contact me.

Blessing,s

Pastor H.

*J.W. Matt Hennessee*

Pastor J.W. Matt Hennessee, M.Div.

Senior Servant

Vancouver Avenue First Baptist Church

3138 N. Vancouver Avenue

Portland, OR 97227

Office Number: 503.282.9496

Mobile Number: 503.351.8356

Fax Number: 503.284.6073

“But we have this treasure in earthen vessels, that the excellence of the power may be of God and not of us. We are hard-pressed on every side, yet not crushed; we are perplexed, but not in despair; persecuted, but not forsaken; struck down, but not destroyed.” **II Corinthians 4:7-9 (NKJV)**



**The inspirational words at the end of Alfred, Lord Tennyson's poem, *Ulysses*:** "We are not now that strength which in days of old moved earth and heaven, that which we are, we are; one equal temper of heroic hearts, made weak by time and fate, but strong in will to strive, to seek, to find, and not to yield."

\*\*\*\*\*

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## Vancouver Avenue First Baptist Church

3138 No. Vancouver Ave., Portland, OR 97227

Phone: (503) 282-9496 Fax: (503) 284-6073

**Pastor J.W. Matt Hennessee, M.Div., D.Min.(c); Senior Servant**

[www.vafbcpx.org](http://www.vafbcpx.org)/[www.facebook.com/Vancouver Baptist Church Portland](http://www.facebook.com/VancouverBaptistChurchPortland)

188037

*Mr. R. Glenn Ward, Chair  
Board of Deacons*

*Mrs. Patricia H. Montgomery  
Church Clerk*

*Mr. Sandy Moore, Acting Chair  
Board of Trustees*

Tuesday, October 4, 2016

The Honorable Charlie Hales, Mayor  
The Honorable Dan Saltzman, City Commissioner  
The Honorable Amanda Fritz, City Commissioner  
The Honorable Nick Fish, City Commissioner  
The Honorable Steve Novick, City Commissioner

Portland City Hall  
1221 S.W. Fourth Ave.  
Portland, OR 97204

Dear Mayor Hales and City Commissioners:

On my personal behalf and on behalf of members of the "Heart of Peace" dialogue comprised of Faith/Law Enforcement/Community and various members of our respective congregations it is an honor to address you regarding the upcoming action on the negotiated Police Contract.

While these are very difficult times and there is a lot of social unrest around the country many of us have always believed that though we have had difficult times between the police and community in the past—we are committed to do our part to help bring all of us together. Fundamentally we understand that negotiations are difficult and applaud the City and the Police Union for coming to agreement on a host of issues important to Portland residents.

Specifically, we urge your approval of this contract to help attract new police officers with as many vacancies you already have and several more in the next few years. We are supportive of the fact that this contract will be more able to attract women and people of color at this very critical time.

It is great to hear this contract eliminates the "48-hour rule" which blocked swift investigation of officer-involved shootings. We understand certain grievances that might have blocked reforms like new discipline rules are settled. Most importantly, we understand the new contract commits the City and the union to work together to comply with the Department of Justice settlement, develop new rules for use of body cameras, and otherwise NOT use the contract as a shield against reform.

Again we are grateful to all of you for the intense amount of sessions that took place to get to this place of agreement. We wish you the best and hope that you are able to approve this contract and get on with the business of making the City, the Bureau, and the Community the best we can all be.

I am hoping to see us continue to work together and do great things for the City and be a model to cities across the country in turmoil. If there is more that we can do, please feel free to call on us.

Sincerely and respectfully submitted,

*J.W. Matt Hennessee*

J.W. Matt Hennessee, Senior Servant

*"The Church where everyone is welcome"*

**Moore-Love, Karla**

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**From:** Margo Pierson <margo.pierson78@gmail.com>  
**Sent:** Wednesday, October 05, 2016 9:49 AM  
**To:** Council Clerk – Testimony  
**Subject:** Fwd: Document1 [Compatibility Mode]  
**Attachments:** Doc1.docx; ATT00001.htm

My testimony against the police contract.

Sent from my iPhone

My name is Margo Shearer. I am the mother of a 14 year old black son. He is also Special Needs. My son is nearly as tall as me, and is a big boy. Scratch that, he is a big young man, because that is what the world sees him as, a big, black, young man.

To the casual observer who doesn't know him, my son looks outwardly like a typical young man. However, because of his Special Needs, my son does not process information or always react to the world in what is considered a normal or typical way for a young man his age. It takes him longer to process what is going on around him, and longer for him to react to situations. He is especially affected in times of high stress. In those times, his processing ability is even more delayed, and he gets highly agitated, and it can be hard to get him to calm down.

I live in fear every day that because of this double target he was born into. The double target of not only being black but also being Special Needs. I live in fear that were there to be an emergency that I was not present for or if there were ever to be a situation that involved intense police contact, and I wasn't there to explain my son's behavior, that the police do not have the training or sensitivity to deal with my son in a manner that would avoid ending in injury or even worse, deadly force.

I do not see how this new contract, with all its loopholes, such as loopholes that allow an officer to review bodycam footage BEFORE making writing his report, giving that officer the ability to excuse away any irresponsible behavior, I do not see how that could possibly be considered keeping my son or people like him safe. I do not see how this new contract ensures the responsible and humane treatment of the people these officers took an oath to protect and serve. I do not see where the contract specifies the training of officers to not only deal responsibly with people of color, but training to deal responsibly that are Special Needs or that may be having a mental health crisis.

I urge, I beg, I plead, DO NOT pass this contract. Take it back to the drawing board and make sure that people of color, and especially those double targeted like Special Needs people of color, are protected and that the officers this contract covers are well equipped to engage in a safe and responsible manner.

**Moore-Love, Karla**

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**From:** Angela Dimmick <angelaD@irco.org>  
**Sent:** Wednesday, October 05, 2016 9:49 AM  
**To:** Hales, Charlie  
**Cc:** Council Clerk – Testimony; Jenny Bremner  
**Subject:** Portland Police Association Contract  
**Attachments:** Mayor Charlie Hales.pdf

Dear Mayor Hales,

This letter shows the Immigrant and Refugee Community Organization's (IRCO) support of the Portland Police Association Contract which is on the floor for vote by the Portland City Council. As a multicultural community based non-profit organization serving some of the most marginalized families in Portland, we understand the crucial importance of a qualified police force.

We work closely with the Portland Police Bureau and our immigrant/refugee families to lessen traditional cultural and linguistic barriers between mainstream systems and new Portlanders. We see an ongoing need for an increasingly diverse and more qualified police force reflecting the communities they serve and building trust with all Portland families. We encourage transparency and open communication. We see the potential for this with the proposed Contract.

If you have any questions or need additional information, please feel free to contact me.

Thanks for your continued support of all Portland residents.

Sincerely,  
Lee Po Cha  
Executive Director

188037



IMMIGRANT AND REFUGEE  
COMMUNITY ORGANIZATION

**MISSION:**

TO PROMOTE THE INTEGRATION OF  
REFUGEES, IMMIGRANTS, AND THE  
COMMUNITY AT LARGE INTO A SELF-  
SUFFICIENT, HEALTHY, AND INCLUSIVE  
MULTIETHNIC SOCIETY.

IRCO Headquarters  
10301 NE Glisan Street  
Portland, OR 97220  
Tel: 503-234-1541  
[www.irco.org](http://www.irco.org)

October 5, 2016

Mayor Charlie Hales  
City of Portland  
1221 SW 4th Avenue, Room 340  
Portland, OR 97204

RE: Portland Police Association Contract

Dear Mayor Hales,

This letter shows the Immigrant and Refugee Community Organization's (IRCO) support of the Portland Police Association Contract which is on the floor for vote by the Portland City Council. As a multicultural community based non-profit organization serving some of the most marginalized families in Portland, we understand the crucial importance of a qualified police force.

We work closely with the Portland Police Bureau and our immigrant/refugee families to lessen traditional cultural and linguistic barriers between mainstream systems and new Portlanders. We see an ongoing need for an increasingly diverse and more qualified police force reflecting the communities they serve and building trust with all Portland families. We encourage transparency and open communication. We see the potential for this with the proposed Contract.

If you have any questions or need additional information, please feel free to contact me.

Thanks for your continued support of all Portland residents.

Sincerely,

Lee Po Cha  
Executive Director



**Moore-Love, Karla**

---

**From:** kweidmann58 <kweidmann58@gmail.com>  
**Sent:** Thursday, October 06, 2016 6:04 AM  
**To:** Charlie.Hale@portlandoregon.gov; Fritz, Amanda; Fish, Nick; Saltzman, Dan; Novick, Steve; Council Clerk – Testimony; Christina.Nieves@portlandoregon.gov; Washington, Mustafa

Mr. Mayor,

Your leadership during this last Portland City Council meeting was appalling. You were elected to this position to put into action the will of We The People. Instead of hearing our concerns, you chose to silence them through police action.

Police Union Contacts are of great importance to us. We will no longer stand silently by and allow our son's and daughter's lives to be at risk. We must be allowed to voice our concerns in public forums and have those concerns, at a minimum heard, and more importantly, acted upon by elected officials.

You are setting the City of Portland up for civil unrest with your actions. Please open your heart. Please hear the warranted concerns of We The People. We are striving for Justice for All and consequences for those who chose abuse their power.

Thank you for your time.  
Kathleen Weidmann

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

**Parsons, Susan**

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**From:** City Auditor, Mary Hull Caballero  
**Sent:** Wednesday, October 05, 2016 2:13 PM  
**To:** Parsons, Susan  
**Subject:** FW: URGENT: Concerns regarding Police Union Contract

**From:** Antonella Pagani [mailto:antonellapagani33@gmail.com]  
**Sent:** Wednesday, October 05, 2016 9:52 AM  
**To:** mayorcharlierhales@portlandoregon.gov; City Auditor, Mary Hull Caballero  
<AuditorHullCaballero@portlandoregon.gov>  
**Subject:** URGENT: Concerns regarding Police Union Contract

Hello,

I have recently found about about the police union contract to be signed this morning and am very concerned about the content of the agreement. I request that the signing be put off at least one week, until members of our community have had a chance to review it and raise questions if necessary. In addition, I propose a community meeting to discuss any concerns that Portland residents may have.

Thank you for your attention.

--  
Antonella Pagani  
Portland resident



**Parsons, Susan**

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**From:** City Auditor, Mary Hull Caballero  
**Sent:** Wednesday, October 05, 2016 2:15 PM  
**To:** Parsons, Susan  
**Subject:** FW: Portland Police Union Contract

**From:** Allyson Woodard [mailto:woodard.allyson@gmail.com]  
**Sent:** Wednesday, October 05, 2016 10:56 AM  
**To:** mayorcharlierhales@portlandoregon.gov  
**Cc:** City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>  
**Subject:** Portland Police Union Contract

Hello,

I'm emailing to express concerns regarding the Portland Police Union contract that was proposed last week--specifically:

- the lack of quality control about screening or reviewing past performance problems when re-hiring officers;
- the continued legitimization of excessive police presence and use of combat-level gear at peaceful demonstrations;
- the lack of transparency and accountability inherent to the 48-hour review period after an incident involving deadly force;
- the lack of provisions for proper oversight and performance review regarding officer conduct.

Please do not sign. The public deserves adequate time to respond to proposed contracts, and our scarce resources would do better in service to education, health and social services, and parks.

Best,  
Allyson Woodard

2813 NE Rodney Ave  
Portland, OR 97212

**Parsons, Susan**

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**From:** City Auditor, Mary Hull Caballero  
**Sent:** Wednesday, October 05, 2016 2:10 PM  
**To:** Parsons, Susan  
**Subject:** FW: Police contract request

**From:** Harold McNaron [mailto:haroldmcnaron@gmail.com]  
**Sent:** Wednesday, October 05, 2016 7:52 AM  
**To:** City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>; Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** Police contract request

Mayor Hales and Auditor Caballero,

Please refrain from signing a new contract with the Portland Police Union. We, the people, will soon elect another mayor who can fulfill this duty.

Thank you,

Harold McNaron

**Parsons, Susan**

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**From:** City Auditor, Mary Hull Caballero  
**Sent:** Thursday, October 06, 2016 8:41 AM  
**To:** Parsons, Susan  
**Subject:** FW: Today's Meeting ~ Police Union Contract

**From:** Jessica Dolin [mailto:jesticadolin@yahoo.com]  
**Sent:** Wednesday, October 05, 2016 9:44 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Cc:** Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>  
**Subject:** Today's Meeting ~ Police Union Contract

Dear Mayor Hales,

It was less than two weeks ago I sat at Bella Noche, my table just next to yours, and looked over thinking how I proud I was to live in a city where the Latino Network received such widespread public support.

I am confused by how the same city could treat members of Don't Shoot PDX the way they were treated today.

Does Portland actually want to hear from people of color, and allies thereof? Or do the politicians of Portland just show up to look good at parties?

I ask - and expect - that this police union contract not be pushed through ahead of schedule, or without public comment. Also, please release Teresa Raiford from jail, and give her the public apology she deserves.

Sincerely,

White Woman Who Has Lived Here All Of Her 38 Years. And Votes.  
aka  
Jessica Dolin

**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:55 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Police contract

**From:** Ann Kopel [mailto:annkopel1@gmail.com]  
**Sent:** Tuesday, October 04, 2016 10:06 AM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** Police contract

Hello Mayor Hales,

I have been informed that the new contract between the City of Portland and the police bureau is about to be signed. I ask that you not rush into signing this contract, but wait until Ted Wheeler can take office to make good on his campaign promises, one of which is to rescind the 48-hour rule for police to be questioned after a civilian has been shot.

These are dangerous and unstable times. We have seen the Internet videos of the police killing unarmed black men and boys, and it is clear that many of these killings didn't need to happen. We need to be working WITH our communities of color, not ignoring their concerns and requests. Don't Shoot Portland is asking for a grace period before the new contract is signed. I stand with them.

Ann Kopel  
503-232-3090

There are only two mistakes one can make along the road to truth -- not going all the way, and not starting.  
---Buddha

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:55 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: PPA contract

-----Original Message-----

**From:** Tracy Taggart [mailto:ttaggart@ymail.com]  
**Sent:** Tuesday, October 04, 2016 11:11 AM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** PPA contract

Mr. Hales-

I am writing to urge you to delay ratification of the PPA contract until issues regarding police accountability can be further explored.  
The proposed contract is skewed toward secrecy and protection of individual offers rather than toward transparency and protection of our community.  
The time has come to hold police officers to at least the same standard of justice and role of process as any other citizen.

Sincerely,  
Tracy Taggart  
Sent from my iPhone

**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:55 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: #BlackLivesMatter

**From:** Claire Bosworth [mailto:claire.boz@gmail.com]  
**Sent:** Tuesday, October 04, 2016 11:59 AM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** #BlackLivesMatter

Dear Mayor Hales,

I am writing as a citizen of Multnomah County. I am also writing to you as a current student at PCC and PSU who was born and bred in NE Portland and grew up caring deeply about political processes and the government of our dear city. I was at the Portland City Council meeting last week (the first I have attended in person) and was deeply disappointed. You speak about stakeholders and yet when community members show up they are disrespected and disregarded. I am writing to urge you to delay action on the proposed PPA contract until further community input is given and changes are made.

This agreement was created behind closed doors and the decisions about it are clearly being made behind closed doors. The fact that there isn't even a specific time on the schedule for this discussion tomorrow shows a lack of desire for accountability or respect for community input.

While it is wonderful to get rid of the 48 hour rule, that is not the only decision this new contract makes. My concerns with the proposed agreement involve the lack of expectations for accountability, giving a raise and added benefits to police officers without consideration of whether that is of benefit to the city overall, the ongoing overrepresentation of PPA in decision-making and the underrepresentation of people directly impacted by policing in negative ways (namely, in this city, communities of color), and the body-worn camera policy. There are plenty of folks who can and have outlined these concerns better than I can (ACLU, Portland Copwatch, NAACP, and even IPR to name a few). Please take the time to hear these concerns and make adjustments.

Thank you for the work that you do,  
Claire Bosworth

---

**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:57 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: PPA contract vote

**From:** Brian Ellis [mailto:brian.s.ellis@gmail.com]  
**Sent:** Tuesday, October 04, 2016 1:59 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** PPA contract vote

Dear Mayor Hales,

I am writing to you asking to postpone the vote on the PPA contract scheduled for tomorrow. I have attended several of the public IPR/CRC meetings this spring and summer and there are a number of issues brought up by the the public that this contract will fail to address.

As the contract does not expire until June of next year, there is ample it to address these issues within the PPA contract.

Please hold off on this contract. Your time in the office of Mayor is coming to an end, but if this contract goes through, those of us who have been seeking changes will have to be dealing with it for a long time.

Thank You,

Brian Ellis.

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 4:01 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Portland Police Bureau Contract

**From:** Kate McNulty [mailto:katemcnulty@cs.washington.edu]  
**Sent:** Tuesday, October 04, 2016 3:10 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** Portland Police Bureau Contract

I want you to stop the process of signing the upcoming police bureau contract. You will no longer be mayor during the time this contract goes into effect and there are numerous reasons for concerns about the content of the contract.

This process never should have been accelerated and is an example of City Hall's lack of concern for citizen input.

I expect you will bow out and let your incoming mayor take care of this sensitive and important matter.

Sincerely,

Kate McNulty

--

Kate McNulty LCSW  
(503) 312-6788  
Gottman Certified Relationship Therapist  
[www.portland-counseling.com](http://www.portland-counseling.com)  
AASECT Certified Sex Therapist and Supervisor  
[www.sexpositivetherapist.com](http://www.sexpositivetherapist.com)



**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 4:01 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: PPA contract do not vote tomorrow

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**From:** Alison [mailto:[alisonpeabody@gmail.com](mailto:alisonpeabody@gmail.com)]  
**Sent:** Tuesday, October 04, 2016 3:10 PM  
**To:** Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>  
**Subject:** PPA contract do not vote tomorrow

As a citizen of Portland Oregon I am extremely concerned about the PPA contract that you are voting on tomorrow morning. I strongly believe that it is not your job to vote in a contract that lasts 3 1/2 years just before you leave office. Leave this decision to the man who will be running things while the contract is in use. If you continue forth in this voting process please note that I am not okay with police having an undisclosed amount of time to review body cam tapes and respond after a violent incident or any incident at all for that matter. We don't allow citizens to have time to get their stories straight why would we allow police to do so? I understand that a shortage of police is concerning BUT I think that protecting police from repercussion and punishment is not the best way to entice candidates- it is alarming to think who would be drawn to these looser rules for accountability. Do we want bad cops? Cause that's who you are appealing to. I want police that are fair and that are held accountable for their actions in the same way that everyday citizens are. It's not fair to give them guns AND power over the people and not hold them to the same, if not a HIGHER standard. Please delay this vote, it is not your job, leave this important decision to Ted Wheeler and the city council of 2017.

A truly concerned citizen,  
Alison Peabody

Sent from my iPhone

**Moore-Love, Karla**

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**From:** Eric Wikoff <edwikoff@gmail.com>  
**Sent:** Tuesday, October 04, 2016 4:26 PM  
**To:** Hales, Charlie; Fritz, Amanda; Novick, Steve; Fish, Nick; Saltzman, Dan  
**Cc:** Stover, Chad; Council Clerk – Testimony; Eric Wikoff; Brentwood Darlington  
**Subject:** Portland Police Association Contract

Greetings Mayor Charlie Hales and Portland City Council Commissioners,

As a lifelong citizen of Portland and past chair of the Brentwood-Darlington Neighborhood Association, I have worked diligently to build a positive relationship with our hard working law enforcement representatives. We are fortunate to have Portland Police Officer attend our board meeting on the first Thursday of each month from 7-9pm and want to extend a open invitation for anyone on city council to observe and participate.

It is extremely important for our residents to continue open dialogue with our officers in Brentwood-Darlington. They have been helpful addressing neighborhood concerns regarding crime, safety, and assisting with the homelessness situation on Springwater Corridor.

A couple of months ago Mayor Hales, Chad Stover, other neighborhood association representatives, and I discussed the ability for our law enforcement representatives to protect residents from the escalation of crime indirectly and sometimes directly associated with the encroachment of homeless and those who prey on their vulnerability.

While homelessness is a complex issue that requires dedicating funds for both investment in infrastructure and social services, allocating funds to maintain an appropriate police force is essential.

One of our agreed concerns is that our city as a whole lacks the law enforcement staff required to adequately assist the community. Inadequate numbers create a reduced response rate and an escalation of individual tactical action due to a lack of backup. Futhermore, lack of staff reduces the inability to prioritize community outreach, criminal case processing, and administrative support while prioritizing patrols and violent criminal apprehension.

For these reasons, I support passing the Portland Police Association Contract so that we can build the kind of Police Bureau we all want in our city. One that can focus on protecting our neighborhoods, repairing adversarial perceptions amongst our youth, and building positive relationships with the community at a neighborhood level.

Thank you for the opportunity to comment.

Eric Wikoff

Board Member, Brentwood-Darlington Neighborhood Association

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**Moore-Love, Karla**

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**From:** Bankspdx <bankspdx@aol.com>  
**Sent:** Tuesday, October 04, 2016 5:06 PM  
**To:** Hales, Charlie  
**Cc:** Council Clerk – Testimony  
**Subject:** Negotiating a PPA Contract

Dear Mayor Hales,

**As a Member of the Portland City Council, you and others will be voting on whether to pass the Portland Police Association Contract, which would incentivize hiring more highly qualified Portland Police Officers.**

**If for no other reason, the City Council should work toward a PPA Contract because there is a great need to address PPB's staffing crisis which greatly affects the quality (and quantity) of service delivery to our community.**

**It is my understanding that the PPA Contract negotiations were opened primarily to address officer compensation to make hiring of qualified officers more competitive. As a large urban area, Portland can't expect to make recommended DOJ changes nor fulfill the City's obligations for community for safety and security when the current compensation system is the lowest in the State.**

**I respectfully request that the City and PPA work toward negotiating a contract that will serve everyone well.**

*Deniel*

Deniel W. Banks  
DW Banks Company, Inc. – a Melbourne Marketing Group Pty Ltd Affiliate  
1510 S.W. Parkwood Dr.  
Portland, OR 97225-5342 USA  
(o) 503-805-6718 (e) [bankspdx@aol.com](mailto:bankspdx@aol.com)  
[www.melbmktg.com](http://www.melbmktg.com)

**Moore-Love, Karla**

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**From:** Hugh Henderson <hughdogz@gmail.com>  
**Sent:** Tuesday, October 04, 2016 7:54 PM  
**To:** Council Clerk – Testimony; BPS Comprehensive Plan Testimony  
**Cc:** Hales, Mayor; Commissioner Fritz; Commissioner Fish; Commissioner Novick; Commissioner Saltzman; City Auditor Griffin-Valade; Anderson, Susan; mnaLandUseCommittee@gmail.com  
**Subject:** Planning for Multnomah Village

Portland City Council  
1221 SW Fourth Avenue, Room 130  
Portland, Oregon 97204

c/o Council Clerk  
[cctestimony@portlandoregon.gov](mailto:cctestimony@portlandoregon.gov)  
[cputestimony@portlandoregon.gov](mailto:cputestimony@portlandoregon.gov)

Re:

Multnomah Village is an area of Portland with major historical design significant that needs to be protected. The current scale of this business district is appropriate for its narrow main street, making it an inviting place for people to shop and eat out in unique locally-owned businesses.

With the exception of one 3-story building, the Village consists of one-story and two-story buildings, many of which are the original buildings from the earliest days. The Village is covered by a Design District Overlay under the current Comprehensive Plan and this D Overlay states that new development must be consistent with the scale and character of the existing businesses, but the current zoning code does not provide this protection.

The Mixed-Use Zoning Project of the 2035 Comprehensive Plan proposes to change Commercial Storefront properties in Multnomah Village to either Commercial Mixed Zones 1 (CM1) or 2 (CM2). The CM2 designation would allow out-of-scale buildings of up to 4-stories to be built in this historic area. I am requesting that the City Council change the designation of all properties in the business district of Multnomah Village that are covered by the current D overlay to CM1. The new CM1 designation is a better fit for the historic Village because it will limit building heights in this area to 35 feet, the approximate height of three-story buildings.

I am also requesting that building heights for lots that are bounded by two streets be measured from the lower street. This will prevent the construction of additional stories that could result if heights are measured from the higher street on these steep lots.

Lastly, I am requesting that a Plan District be implemented as part of the Comprehensive Plan for the Multnomah Village Business District to further protect the scale and character of this special place that has major design significance in the City of Portland.

Please add this to the record.

Thank you,  
Hugh Henderson  
3226 Sw Dolph Ct, Portland, OR 97219

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:59 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Independent Police Reviews and Pending Contract With Police Association

**From:** charlier@pdx.edu [mailto:charlier@pdx.edu] **On Behalf Of** Charles Rosenthal  
**Sent:** Tuesday, October 04, 2016 2:37 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Saltzman Dan <dan@ci.portland.or.us>; Commissioner Novick <novick@portlandoregon.gov>  
**Cc:** City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>; Severe Constantin <constantin.severe@ci.portland.or.us>  
**Subject:** Independent Police Reviews and Pending Contract With Police Association

Fellow Citizens:

I ask that you slow the approval of the COP contract with the Police Association to address the essential and reasonable criticisms of the IPR.

I strongly urge this based on six years of experience with the Fire & Police Disability & Retirement Fund, four years of experience with the Police Review Board, and other years of experience in volunteer roles.

The general thrust of the IPR critique is to increase transparency of police processes. ***Increasing transparency has always improved police performance, despite the resistance it generally encounters when proposed.*** As there is time to negotiate a contract with more transparency, please do so.

Charlie Rosenthal

Cc: Mary Hull Caballero  
Constantin Severe

[c.rosenthal@ieee.org](mailto:c.rosenthal@ieee.org)  
503-245-8398

**Moore-Love, Karla**

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**From:** Bankspdx <bankspdx@aol.com>  
**Sent:** Tuesday, October 04, 2016 5:06 PM  
**To:** Hales, Charlie  
**Cc:** Council Clerk – Testimony  
**Subject:** Negotiating a PPA Contract

Dear Mayor Hales,

**As a Member of the Portland City Council, you and others will be voting on whether to pass the Portland Police Association Contract, which would incentivize hiring more highly qualified Portland Police Officers.**

**If for no other reason, the City Council should work toward a PPA Contract because there is a great need to address PPB's staffing crisis which greatly affects the quality (and quantity) of service delivery to our community.**

**It is my understanding that the PPA Contract negotiations were opened primarily to address officer compensation to make hiring of qualified officers more competitive. As a large urban area, Portland can't expect to make recommended DOJ changes nor fulfill the City's obligations for community for safety and security when the current compensation system is the lowest in the State.**

**I respectfully request that the City and PPA work toward negotiating a contract that will serve everyone well.**

*Deniel*

Deniel W. Banks  
DW Banks Company, Inc. – a Melbourne Marketing Group Pty Ltd Affiliate  
1510 S.W. Parkwood Dr.  
Portland, OR 97225-5342 USA  
(o) 503-805-6718 (e) [bankspdx@aol.com](mailto:bankspdx@aol.com)  
[www.melbmkgt.com](http://www.melbmkgt.com)

**Moore-Love, Karla**

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**From:** Helen Ying <discover2010@gmail.com>  
**Sent:** Tuesday, October 04, 2016 5:19 PM  
**To:** Hales, Charlie; Fritz, Amanda; Saltzman, Dan; Fish, Nick; Novick, Steve  
**Cc:** Council Clerk – Testimony  
**Subject:** Letter/Testimony from Old Town Chinatown Community Association re: Support for passing the Portland Police Association Contract  
**Attachments:** OTCT CA Letter to City Council 10.4.16.docx; OTCT CA Letter to City Council 10.4.16.pdf

Mayor Charlie Hales

Commissioner Nick Fish

Commissioner Dan Saltzman

Commissioner Amanda Fritz

Commissioner Steve Novick

1221 SW 4th Avenue

Portland, Oregon 97204

RE: OTCTCA urges Portland City Council to vote in favor of passing the Portland Police Association Contract

Dear Mayor Hales and Commissioners,

We submitted a letter to you back In June to share with you about the many positive things happening in Old Town Chinatown as a result of the City's support for the revitalization efforts. We also communicated in the same letter that while we are making strides in the right direction, public safety and livability remain to be a top concern in the neighborhood. We are mostly concerned with the ongoing rampant lawlessness behavior: public urination and defecation, vandalism, harassment and threatening behavior, camping on the streets, and drug activities.

We need your help to mitigate these grave concerns. We the community stand ready and willing to do all that we can to make Old Town: Chinatown, Japan Town, Ankeny Plaza, Skidmore, Waterfront the best neighborhood in Portland and need your support to make it a reality. The most helpful would be police presence and enforcement of the laws.

We understand you will be voting on whether to pass the Portland Police Association Contract, which would incentivize hiring more highly qualified Portland Police Officers. As it has been shared with us consistently over the past year that the Portland Police Bureau is shorthanded which makes effective law enforcement a challenging feat. We have heard about the staff shortage directly from police officers, detectives, and Mayor Hales and his staff.

Portland needs more police officers. Old Town Chinatown needs more police presence in the neighborhood. We urge you to passing the Portland Police Association Contract now so that we can build the kind of Police Bureau we all want in our city.

Sincerely,

Helen Ying, OTCTCA Board Chair and the OTCTCA Board





188037

CHINATOWN JAPANTOWN ANKENY PLAZA SKIDMORE WATERFRONT

October 4, 2016

Mayor Charlie Hales  
Commissioner Nick Fish  
Commissioner Dan Saltzman  
Commissioner Amanda Fritz  
Commissioner Steve Novick  
1221 SW 4th Avenue  
Portland, Oregon 97204

RE: OTCTCA urges Portland City Council to vote in favor of passing the Portland Police Association Contract

Dear Mayor Hales and Commissioners,

We submitted a letter to you back In June to share with you about the many positive things happening in Old Town Chinatown as a result of the City's support for the revitalization efforts. We also communicated in the same letter that while we are making strides in the right direction, public safety and livability remain to be a top concern in the neighborhood. We are mostly concerned with the ongoing rampant lawlessness behavior: public urination and defecation, vandalism, harassment and threatening behavior, camping on the streets, and drug activities.

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feat. We have heard about the staff shortage directly from police officers, detectives, and Mayor Hales and his staff.

Portland needs more police officers. Old Town Chinatown needs more police presence in the neighborhood. We urge you to passing the Portland Police Association Contract now so that we can build the kind of Police Bureau we all want in our city.

Sincerely,

Helen Ying, Chair  
Golden Horse Restaurant

Jessie Burke, Vice Chair  
The Society Hotel, Partner

David Hooff, Treasurer  
Northwest Health Foundation

Brian Harvey, Secretary  
Board Member  
Resident

Evan Ross, Board Member  
Cycle Portland, Owner

Zachary Fruchtengarten,  
Board Member, Gevurtz Menashe  
Fleischner Mayer Building Owner

Dan Lenzen , Board Member  
Venture Hospitality

Karen Bowler, Board Member  
Tube and Fortune

Sarah Stevenson, Board Member  
Innovative Housing, Inc.

David Leiken, Board Member  
Roseland Theater

Will Naito, Board Member  
Naito Development

Scarlett Stack, Board Member  
Resident

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:56 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Concerns about PPA contract

1 8 8 0 3 7

**From:** Heather Franklin [mailto:heatherreb@gmail.com]  
**Sent:** Tuesday, October 04, 2016 12:52 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** Concerns about PPA contract

Hello Mayor Hales & City Commissioners,

I'm writing to express my strong disapproval for pushing through the considered PPA contract. It's grossly negligent to rush an important contract that continues to leave Portland Police unaccountable for officer involved shootings. We as a city need large, open forums to involve all concerned citizens in such matters - not hushed back door meetings months before necessary while the city is distracted by national politics. I'm outraged that in this day & age, with police murdering citizens, on camera, every single day, you'd consider a contract that provides raises and fails to provide any reasonable reforms. Doing away with the 48 hour rule simply to replace it with police access and control over body cams is such a slap in the face to every citizen demanding accountability, transparency & an end to state sanctioned murder. Do right by the people of Portland. Stop this foolishness and allow the next Mayor to establish a PPA contract that serves us all.

Enough.

Sincerely,  
Heather Franklin

6901 SE 110th ave  
Portland, OR

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:57 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Portland Police Association Contract Frequently Asked Questions (FAQs)

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**From:** Craig Dorsay [mailto:Craig@dorsayindianlaw.com]  
**Sent:** Tuesday, October 04, 2016 12:53 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** RE: Portland Police Association Contract Frequently Asked Questions (FAQs)

I can't believe you are selling out so completely to the Police Union, and before the new mayor comes in. This contract will keep in place most of the failed policies of the last few decades and allow the police to continue to abuse our tax dollars and avoid accountability. Stop what you are doing to fix in all their advantages before you leave. You should be ashamed, but apparently not.

***Confidentiality Notice:** E-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and is legally privileged. This message is for the designated recipient only and may contain privileged, confidential, proprietary, or otherwise private information. If you have received this message in error, please notify the sender immediately by telephone at 503-790-9060 or email and delete the message in its entirety. Any unauthorized use, dissemination or disclosure of this e-mail or any of its attachments is strictly prohibited. Thank you.*

**From:** Mayor Charlie Hales [mailto:mayorcharliehales=portlandoregon.gov@mail214.suw16.rsgsv.net] **On Behalf Of** Mayor Charlie Hales  
**Sent:** Monday, October 3, 2016 5:32 PM  
**To:** Craig Dorsay <Craig@dorsayindianlaw.com>  
**Subject:** Portland Police Association Contract Frequently Asked Questions (FAQs)

Portland Police Association Contract Frequently Asked Questions (FAQs)

[View this email in your browser](#)



**Mayor Charlie Hales**

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**Police Reform and Accountability:**

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# Portland Police Association Contract Frequently Asked Questions (FAQs)

Dear Portlanders,

There is understandable confusion about the Portland Police Association (PPA) Collective Bargaining Agreement (CBA) which came before the City Council Wednesday, September 28, 2016.

We hope the information below clarifies several questions/concerns community members often have about the PPA Agreement:

## **Portland Police Association Contract Frequently Asked Questions (FAQs)**

**My policies are driven by a goal to make everything we love about Portland accessible to all Portlanders, and that means citizens being safe in all areas of the city, as well as feeling safe through public trust in first responders.**

Portland's Collective Bargaining Agreement will **efficiently fill officer vacancies with quality men and women from Portland's diverse communities, people who believe in service and quality relationships in the community.** And right now, that's urgently needed as Portland faces a **police staffing crisis—83 sworn vacancies and 22 retirements scheduled for this month.** For perspective, there are 200 vacancies across the state of Oregon; the City of Portland accounts for just under half of that number.

**Portland's Collective Bargaining Agreement with our police union not only will address our police staffing crisis, but also reinforce a modern police bureau of accountability and transparency that fully represents our community—including the removal of the outdated 48-hour Rule**

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and alignment with the U.S. Department of Justice Settlement Agreement to continue implementing critical police reforms.

More information is provided in the [Portland Police Association Contract Frequently Asked Questions \(FAQs\)](#), and on the City Auditor's website, where you can read the [Collective Bargaining Agreement \(CBA\)](#), [City Ordinance 1109](#) and [Tentative Agreement \(TA\)](#), and the [DRAFT Body Worn Camera Policy](#).

As always, please contact me and my staff directly with your questions and concerns at [mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov) or 503-823-4120.

Sincerely,



Charlie Hales  
Mayor, City of Portland

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Mayor Charlie Hales  
1221 SW Fourth Avenue, Suite 340  
Portland, Oregon, 97204

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**Moore-Love, Karla**

---

**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:57 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: PPA contract vote

**From:** Brian Ellis [mailto:brian.s.ellis@gmail.com]  
**Sent:** Tuesday, October 04, 2016 1:59 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** PPA contract vote

Dear Mayor Hales,

I am writing to you asking to postpone the vote on the PPA contract scheduled for tomorrow. I have attended several of the public IPR/CRC meetings this spring and summer and there are a number of issues brought up by the the public that this contract will fail to address.

As the contract does not expire until June of next year, there is ample it to address these issues within the PPA contract.

Please hold off on this contract. Your time in the office of Mayor is coming to an end, but if this contract goes through, those of us who have been seeking changes will have to be dealing with it for a long time.

Thank You,

Brian Ellis.



**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:58 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: ACLU of Oregon - Letter re PPA/PPB CBA & Draft Body Camera Policy  
**Attachments:** 10-4-16 LTR Portland City Council Body Cams & CBA.pdf

**From:** Kimberly McCullough [mailto:KMcCullough@aclu-or.org]  
**Sent:** Tuesday, October 04, 2016 2:33 PM  
**To:** Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Cc:** Wesson-Mitchell, Deanna <Deanna.Wesson-Mitchell@portlandoregon.gov>; Pierce, Tera <Tera.Pierce@portlandoregon.gov>; Kanwit, Anna <Anna.Kanwit@portlandoregon.gov>  
**Subject:** ACLU of Oregon - Letter re PPA/PPB CBA & Draft Body Camera Policy

Mayor Hales, Commissioners, and Staff,

I have attached a letter from ACLU regarding the PPA/PPB CBA and the draft body camera policy. Thank you for your consideration of our concerns on this matter.

**Kimberly McCullough**



Legislative Director / Counsel

ACLU of Oregon

P.O. Box 40585, Portland, OR 97240

■ o 503.227.6928 ■ m 503.810.6939

■ [kmccullough@aclu-or.org](mailto:kmccullough@aclu-or.org)

[www.aclu-or.org](http://www.aclu-or.org)  





188037

P.O. Box 40585, Portland, Oregon 97240  
(503) 227-3186 • [www.aclu-or.org](http://www.aclu-or.org)

October 4, 2016

**VIA EMAIL**

Re: Collective Bargaining Agreement and Body Camera Policy

Dear Mayor Hales and Commissioners,

Last Wednesday at City Council, we testified in opposition to ratification of an agreement between Portland Police Association (PPA) and Portland Police Bureau (PPB) on a collective bargaining agreement (CBA) and draft body camera policy. The primary concern we expressed is that the public and community groups were not given sufficient opportunity to weigh in on issues decided by the agreement that will significantly impact police accountability in Portland.

We acknowledge that Mayor Hales' desire to reach agreement with PPA is motivated by a desire to promote public safety and the worry that not having enough officers may cause harm. We are similarly motivated by a desire to protect the public, and we know that police accountability is essential to achieving that goal.

Since our testimony, Mayor Hales introduced an amendment which attempts to address our concerns by clarifying that a stakeholder group will be convened to study and make recommendations about the body camera policy. While we appreciate this move in the right direction, it does not go far enough.

*City Council—not PPA and PPB—should be given the final say on the body camera policy.* The policy will determine whether body cameras are used as a tool to prosecute and surveil members of the public or to reduce police violence and misconduct. It is crucial that we get this right.

Beyond that, organizations and community leaders we work shoulder-to-shoulder with continue to express concerns about other aspects of the CBA. *Moving forward at this time would essentially lock concerned community members out of the ability to affect change in the CBA for the next four years.*

After our testimony, Mayor Hales also issued a FAQ regarding the CBA and body camera policy. This FAQ leaves several questions unanswered, for which we would appreciate clarification.

October 4, 2016

Page 2

**Provisions setting out mandatory bargaining subjects:**

Section 5 of the Tentative Agreement states that “[t]he PPA and City specifically agree that the subject of review audio/video as set forth in Section 9 of the BWC Policy and DIR 1010.10 is mandatory for bargaining.” Section 9 of the BWC Policy states that officers may review footage before writing reports. It also limits the ability of supervisors to review footage.

We understand from speaking with Mayor Hales that we have a difference of opinion as to the meaning of Section 5’s recital that Section 9 is a mandatory subject of bargaining. The Mayor’s office has stated to us that they believe that the issue is mandatory as a matter of law. Therefore, they say, reciting this point in the tentative agreement essentially does nothing.

We disagree. We believe there are valid legal arguments that at least portions of Section 9 are permissive subjects of bargaining. This is important, because if the provisions of Section 9 of the body camera policy are mandatory for bargaining, they cannot be changed by the City without bargaining with the police union. If they are permissive, the City can change the policy without having to give the union anything in exchange.

Here’s the crux of why this is important: Maybe Mayor Hales and his administration do not wish to make the argument that Section 9 is a permissive subject of bargaining. But a new mayor, Ted Wheeler or one of his successors, may wish to alter Section 9 so that body cameras will better serve the community as an accountability tool. That new mayor may share our opinion that all or at least parts of Section 9 should be a permissive subject of bargaining, because it is primarily tied to the promotion of the health, safety, and welfare of the people of Portland. But that new mayor will be precluded from making such an argument by this agreement.

If our analysis on this point is incorrect in any way, then we ask one simple question: If we are supposed to believe that the agreement about Section 9 being a mandatory subject of bargaining truly does nothing, then why is it in the tentative agreement at all, and why can it not be removed?

**City Council’s role in approval of the body camera policy:**

We understand that the body camera policy is not final. We have understood this from the beginning. Our concern instead has been (a) that the community and police reform organizations have not yet been given a meaningful opportunity to engage with the City on the issue of body cameras, (b) the draft policy is deeply troubling as drafted and reflects a lack of commitment to the use of body cameras as a tool for accountability, and (c) Portland Police Association and Portland Police Bureau are given too much power in the process of further policy development as set out by the tentative agreement.

October 4, 2016

Page 3

On that final point regarding the policy development process, we are not convinced that convening a stakeholder group and presenting recommendations to City Council will ensure that a pro-accountability body camera policy is adopted when *City Council will have no say in the final contents of the policy.*

As set out in Mayor Hales' amendment, it is PPA and PPB that make the final decision. Considering how troubling the draft policy PPA and PPB have agreed to is, it is hard for us to see how giving them the final word will lead to the correct result here. To remedy this issue, why not add a provision that states that the final policy will be presented to City Council for approval?

We would appreciate clarification of these questions and your consideration of our concerns.

Sincerely,



Kimberly McCullough  
Legislative Director / Counsel

**Moore-Love, Karla**

---

**From:** Roger Hardesty <rdh@hardspace.info>  
**Sent:** Tuesday, October 04, 2016 4:55 PM  
**To:** Moore-Love, Karla  
**Cc:** Parsons, Susan; JoAnn Hardesty  
**Subject:** FW: Testimony: Agenda 1109, ratification collective bargaining with PPA  
**Attachments:** Hardesty RD PPA Testimony.pdf

Karla ~

**Please find attached Hardesty RD PPA Testimony.pdf.**

**I can't tell when item 1109 will be heard. Would you mind submitting the attached personal testimony for the record tomorrow?**

**Best,**

**Roger David Hardesty**

4 October 2016

Portland City Council ~

The logo for 'hardspace' is displayed in white lowercase letters on a red rectangular background. Below the main text, the website address 'www.hardspace.info' is written in a smaller font.

I'd like to know the final cost of City legal battles to prevent the PPB Training Unit from using the arbitration feature of the PPA contract as a 'self-exoneration scheme.' After all that exertion and expense, it seems ludicrous to prematurely bargain ... without assuring Council will ever have their decision to terminate an officer upheld in arbitration.

Given years of public appeal for police accountability, it is unconscionable for this administration to retreat to non-transparent bargaining with the PPA. The nation's whitest city of its size is tracking back to the wrong side of history. We know pay incentive negotiations need to be carried out in a social environment which relays racial justice expectations: the 2009 Police Plan to Address Racial Profiling has never been implemented; cops balk at 2012 DoJ provisions for improved data collection in racial profiling (SA 148). If you're going to embed policy in the PPA contract, I'd prefer a Bureau found in violation of civil rights after [Federal investigation](#), begin to include reform expectations. I'd prefer that not happen: I *strongly* urge advances on these racial justice provisions *precede* payout.

It's an appropriate time to begin attending to bargaining for the June 2017 expiration of the present PPA contract. I urge you to begin a public process now, so 'community-based policing' is actually informed by community aspirations. The [Federal plea deal](#) outlines community engagement strategies (SA 146f). By adhering to that agreement, both camera policy and bargaining positions can be informed by consent of the governed.

As per the PPA contract, many community justice aspirations have been met with, "Our hands are tied," by the very policy Council bargained for. In addition to terminating cops' self-exoneration scheme, we've seen many accountability measures thwarted. A sustained, iterative process, with broad community involvement, must begin to replace these back room deals. Among points I'd bring up for consideration is drug testing, following use of force incidents. What is the role of steroids? What is the role of marijuana, among officers who did not escalate?

It's certainly time to move away from bedrock assumption that cops are best at evaluating their own conduct. You face so many grievances for a variety of reasons; among them are flaws in officer evaluation processes. A comprehensive review might show that divorcing the Employee Information System from discipline procedure has not returned officer performance improvements we all expect.

Recent, anonymous [survey](#) of PPB officers revealed 2% among the 370 replies appreciated that the plea deal "will improve the PPB in the long run." A contract without whistle-blower protections is unlikely to return value from those officers.

We need cultural improvement re-enforcers: pay for coaches must be preceded by directives describing coaching expectations on behavior, and benchmarks for intended outcomes. Bounties to stimulate serving officers in the pull of like-minded compatriots to PPB will reinforce racism and proclivity for violence ... already the norm. Those who monitor the number of resignations who do so rather than accept discipline via the Chief's clandestine Police Review Board realize re-hires are not a priority. Commissioners would do well to analyze mass officer resignations in April, when the promise of this scheme began circulating in secret negotiations.

It's not actually verified that pay rates at PPB are what inhibit new hires. The work environment is as likely to be perceived as unpleasant as result of abdication by Council leadership on police reform: the old-boy network continues to be promoted into command staff, yet writing is on the wall. The US District Court is likely to demand compliance with reforms in the plea deal. We know that a national search for Chief and head of the Training Unit, leadership familiar with the culture shift now required, would replace the vacuum of Council leadership with structure. I contend Portland service will look more attractive under uniform stability of expectations consistently held.

This *New York Times* editorial, [When Police Unions Impede Justice](#), is testimony that local governments must "stop reflexively truckling to police unions and demand contracts that actually reflect the public interest." Staff the Community Oversight Advisory Board with researchers and resources sufficient to offer subject matter experts at Town Halls: we can use the Community Engagement Plan to demonstrate that public interest. Reserve the \$10,000,000 salary and bounty offer until expectations are set. You'll then benefit from community-backed bargaining positions.

Body-worn camera policy shows Council hopes it is not yet an end of the era of police policing themselves. The [Rialto Study](#) was only able to report cams improve officer performance when fear of exposure was set to 100%. We do not have that oversight structure. This camera policy prevents even cops from randomly reviewing police video: no one can infer that the intent is to improve officer conduct.

You say 'stakeholders.' I say gatekeepers. Police policy must originate in an open, deliberative public process. A Compliance Officer Community Liaison, with roots in Portland community, could do much to draw in academics, professional organizations, and 'critical community resources,' to provide accurate cost estimates and describe best practices. A tight-knit band of ceremonial appointments as stakeholders is as likely to get improved justice delivery as they have been on the Human Rights Commission, Police Community Relations Committee, COAB and the Training Advisory Council. (None currently engaged in improvements for constitutionally sound law enforcement.)

I realize that 'input' means little to Council deliberation on back room deals. In the general suppression of community engagement boards and committees, you're not even receiving recommendations which came from the Federally mandated COAB. 'Input' is often a perfunctory moment prior to Council passage of 70-page police plans Commissioners have not themselves read. I also realize that, after stakeholders report, the proposal is that police will set whatever camera policy they choose.

With community involvement, you'll likely replace bounties with intelligent recruitment strategies, perhaps in collaboration with college courses, to draw new character qualities in arriving PPB officers. (You'll also have to let the pre-hire psych eval contract out for competitive bid, but Council will be informed of interlocking features that a comprehensive address of policing deficiencies would provide.)

Supplant the intended payout with a 6-month community engagement plan. We can then hope that, instead of a lame duck mayor, disappearing behind closed door with no position in hand, a new administration will bargain from articulated positions ... backed by enormous political will.

Best,

Roger David Hardesty, prime voice at [hardspace.info](http://hardspace.info)  
[rdh@hardspace.info](mailto:rdh@hardspace.info)

**Moore-Love, Karla**

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**From:** Benjamin Kerensa <bkerensa@gmail.com>  
**Sent:** Tuesday, October 04, 2016 4:40 PM  
**To:** Moore-Love, Karla; Council Clerk – Testimony  
**Subject:** Testimony: 1109 City of Portland / PPA Collective Bargaining Agreement  
**Attachments:** Letter (1).pdf

See attach letter / testimony on this item on tomorrow's city council agenda

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Benjamin Kerensa



October 4, 2016

RE: Agenda Item 1109 Ratify a successor collective bargaining agreement between the City and the Portland Police Association

Dear Portland City Council,

I am writing you in regards to City Council Agenda Item 1109 which you are scheduled to consider on October 5th, 2016. I have been in communication with the Mayor's Office regarding this topic as his office used the rising property crimes in my neighborhood as a reason for passing this agreement.

I'm also aware Auditor, Mary Hull Caballero, and Independent Police Review Director Constantin Severe wrote an open letter to City Council with strong concerns over the lack of needed adoption of police reforms. Furthermore, Mayor Elect Ted Wheeler has a plan for policing which seems much improved over the status quo we have today and would bring more accountability and since he was elected by Portland residents, it would seem his plan is our plan.

I implore you not to approve a collective bargaining agreement with Portland Police Association and to defer this issue until Ted Wheeler takes office so he can begin negotiations with Portland Police Association to form a collective bargaining agreement that Portlanders can support and that will improve accountability and transparency and address the many other concerns Portlanders have with policing in our community.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Kerensa', written in a cursive style.

Benjamin Kerensa

**Parsons, Susan**

---

**From:** City Auditor, Mary Hull Caballero  
**Sent:** Tuesday, October 04, 2016 9:10 AM  
**To:** Parsons, Susan  
**Subject:** FW: Police Contract

Greetings Sue,

Here is a message from Ann Kopel regarding the PPA contract that was sent to Mary's public inbox.

Thanks!  
Andrew B.

**From:** Ann Kopel [mailto:annkopel1@gmail.com]  
**Sent:** Monday, October 03, 2016 10:06 PM  
**To:** mayorcharlierhales@portlandoregon.gov  
**Cc:** City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>; Ted Wheeler <ted@tedwheeler.com>  
**Subject:** Police Contract

Hello Mayor Hales,

I have been informed that the new contract between the City of Portland and the police bureau is about to be signed. I ask that you not rush into signing this contract, but wait until Ted Wheeler can take office to make good on his campaign promises, one of which is to rescind the 48-hour rule for police to be questioned after a civilian has been shot.

These are dangerous and unstable times. We have seen the Internet videos of the police killing unarmed black men and boys, and it is clear that many of these killings didn't need to happen. We need to be working WITH our communities of color, not ignoring their concerns and requests. Don't Shoot Portland is asking for a grace period before the new contract is signed. I stand with them.

Ann Kopel  
503-232-3090

There are only two mistakes one can make along the road to truth -- not going all the way, and not starting.  
---Buddha

---

**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:50 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Feedback on CBA with PPA

**From:** Gregory Wilson [mailto:gwilson253@gmail.com]  
**Sent:** Monday, October 03, 2016 12:26 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** Feedback on CBA with PPA

Mayor Hales,

I'm writing to advocate against the ratification of the current version of the CBA between the Portland Police Association and the City of Portland.

This CBA presents a unique opportunity for Portland to take a proactive step towards ensuring better, more equal policing for our city.

In particular, I think the CBA could be improved by including mandatory bias training, and removing the language in the body camera policy that allows officers to view footage prior to writing a statement.

Regards,

Greg Wilson,  
Kenton

**Moore-Love, Karla**

---

**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:51 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: New PPD contract

**From:** Amy Iannone [mailto:amyiannone@yahoo.com]  
**Sent:** Monday, October 03, 2016 1:40 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** New PPD contract

[http://www.oregonlive.com/portland/index.ssf/2016/09/controversial\\_body\\_camera\\_rule.html](http://www.oregonlive.com/portland/index.ssf/2016/09/controversial_body_camera_rule.html)

Dear Mr. Hales,

It has come to my attention that Portland is considering a contract that would allow police officers to write their reports on interactions with civilians **after** reviewing body camera footage. I am not sure how, at this point in current affairs, this is being considered. I am upset that this has been rushed through with no community oversight and am glad it has been brought to light before contract has been signed.

Please halt negotiations and reconsider how this seemingly minor change can affect real lives, how it has been brought to light that police officers do in fact, falsify reports to cover themselves, and how our country as a whole has over incarcerated our population mainly affecting people of color and this contract will only exacerbate this fact, not help. Oregon has a troubling history of white supremacy and I hope we are working against this white supremacy instead of fighting to uphold it. Day after day there are new names to add to the list of extrajudicial killings at the hands of officers who are supposed to be protecting us. Let's make Portland be different, let's be the example for other cities to follow and put citizens safety before police careers.

Thank you for listening.  
Sincerely,  
Amy Iannone

**Moore-Love, Karla**

---

**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:52 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Police Agreement Please wait for new Mayor

**From:** Emily Herbert [mailto:ewh1960@gmail.com]  
**Sent:** Monday, October 03, 2016 2:18 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>  
**Subject:** Police Agreement Please wait for new Mayor

Dear Mayor and Councilors,

As a Portland community member, long disturbed by the preferential treatment of police officers over wounded or killed citizens, I strongly object to the hurried agreement to establish new procedures. I am especially concerned that

the final agreement will include input from community stakeholders but not be finalized by all the interested parties. As always, the Police Bureau and the City would have the final word. For a truly equitable settlement to be made, all the stakeholders need to decide it, not just have input. And there is no rush. There is ample time after the new mayor takes office, so I strongly recommend that you wait for the new contracts to be finalized.

Thank you for your consideration and for all you do to make Portland equitable and livable. Your actions on climate have been especially pleasing and I am so proud to say that my City Councilors are all Climate Heroes. I look forward to saying that Portland is a standard setter in police treatment of minorities and the mentally ill.

Emily Herbert  
2120 NE Halsey  
Portland, OR 97232  
541-408-1516

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**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:54 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Concerns for CBA with PPA

**From:** Viva Barrows [mailto:vivabarrows@gmail.com]  
**Sent:** Monday, October 03, 2016 5:31 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** Concerns for CBA with PPA

Mayor Hales,

I am writing to express my concerns with the current version of the CBA that will be presented and discussed on Wednesday of this week.

Communities of color in our city are justifiably worried that this new contract gives police too much leeway and even less accountability for their actions. Because of this, Portland will become attractive to cops who would like more immunity and protection, along with a pay raise. This could open the door to Portland becoming the next city in the long string of cities across the country experiencing police killings of unarmed and innocent people of color. I don't want that. You don't want that. Our community needs to stand against that.

Instead of fast tracking this new contract, I believe this could be an opportunity to create a contract that could be used as a model for other cities. One that includes the concerns of communities currently fearing for their lives when a cop pulls them over. One that assures accountability, and one that holds zero tolerance for unnecessary force against unarmed and innocent citizens.

We are all effected by what is going on around the country between police and people of color. We all must stand against racial bias and loop holes that perpetuate the grotesque behavior of those who we, the people, employ to protect and serve. Portland must not be the next city.

Thank you for your time,

Viva Barrows-Friedman  
Elementary school Speech Pathologist  
Belmont area resident

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:54 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Police Contract

**From:** Kathryn Kendall [mailto:kendallishere@gmail.com]  
**Sent:** Monday, October 03, 2016 10:09 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** Police Contract

Please delay approval of the police contract. We need more time for input, more transparency. Do not rush this thing through. Please let us comment further, please let your citizens have more say in something this important. Racial profiling is unacceptable in Portland, and the new police contract will not stop it.

K. Kendall, PhD  
Portland citizen 97209

**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:50 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW:

**From:** Jynx Houston [mailto:jynxcdo@gmail.com]  
**Sent:** Monday, October 03, 2016 12:48 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:**

We live in the 97215 zip code of Portland & urge you STRONGLY to NOT go ahead w/ your police union plan. It gives way too much power & indemnity to Portland police.

Thank you,  
Jynx Houston & Family



**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, October 04, 2016 3:51 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Portland Police Contract

188037

**From:** Arlene Flynn [mailto:arghlene@gmail.com]  
**Sent:** Monday, October 03, 2016 2:10 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** Portland Police Contract

Good afternoon, Mayor!

Thank you for your hard work and attention with regards to this contract. I do urge you to take more time to further review and edit this before its finalized on Wednesday. There are some major issues with this contract and to ensure its success, please work closer with the community to come to a compromise that will benefit the entire city of Portland. It seems hasty to sign something that will be valid for 3 years that doesn't even start until after you leave office.

Arlene Flynn  
562-505-4329

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Sunday, October 02, 2016 9:40 AM  
**To:** Council Clerk – Testimony  
**Cc:** Wesson-Mitchell, Deanna  
**Subject:** FW: UPDATE: Please allow testimony on amendment(s) to PPA contract

-----Original Message-----

**From:** Portland Copwatch [mailto:copwatch@portlandcopwatch.org]  
**Sent:** Friday, September 30, 2016 4:06 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Cc:** Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Hales, Mayor <mayorcharliehales@portlandoregon.gov>; News Media <newsmedia@portlandcopwatch.org>  
**Subject:** UPDATE: Please allow testimony on amendment(s) to PPA contract

Mayor Hales

It is our understanding that in the continuation of Wednesday morning's hearing on the Portland Police Association contract, you offered amendments to the ordinance. We further understand that because some people were able to return to Council after you took a recess at 11 AM, you consider that public testimony has already been taken on the amendments. We are writing to request that you allow public testimony on the amendments at the hearing this Wednesday, October 5, and that you give the public a time certain so they do not have to spend another 2 hours in Council Chambers. We further request that the Council collectively propose changes to the actual Tentative Agreement and Contract to reflect the community's concerns as expressed to you on Wednesday:

--fix the binding arbitration clause so that fired officers stay fired  
 (we're looking at you, Officer Ron Frashour) --remove the clauses that inhibit meaningful civilian oversight  
 (as identified by IPR Director Severe on Sept 14:  
 IPR's inability to compel officer testimony, IPR's inability to investigate deadly force cases, and CRC's inability to hear appeals on deadly force cases)  
 --add mandatory drug testing after excessive/deadly force incidents.

Frankly, the amendments being proposed are insulting.

"Council directs the Police Bureau to convene a stakeholder committee to review the draft Body Worn Camera Policy Version 2.2 and national best practices as the continue to evolve. Additionally, the public will be given the opportunity for universal review and to provide public comments through Bureau's established directives process. A report will be presented to Council by the stakeholder committee and will be subject to further public input at that time. Following this public review and comment process, the PPA and PPB will meet to discuss finalization of the Body Worn Camera Policy."

In the same paragraph, the Mayor is asking for the community to weigh in on the Body Camera policy and to accept that the PPA and the PPB will have final say. A meaningful stakeholder process would have the PPA and PPB as part of the stakeholder group and bound to a democratic decision making process in that group.

If the reason you're rushing to put this contract through is how short-staffed the Bureau is, you should not have approved the "secondary employment" ordinance Wednesday afternoon which allows officers to perform off-duty security functions in uniform. This will only lead to a force that's more stretched thin, not less.

If you truly believe that having more officers on the street can prevent car accidents, you do not understand the meaning of the term "accident."

We continue to wonder how it's possible that a court has ruled on a technology as new as body cameras to make it a mandatory issue for collective bargaining for officers to review their footage before writing reports. Commissioner Novick was quite correct to point out the unfairness of that system if such footage isn't available to criminal suspects immediately upon their arrest/citation.

We have included our testimony from Wednesday below. Please respond as soon as possible, as the hearing is just five days away and those of us who aren't paid to be in City Hall have to rearrange our schedules to participate in the public process.

This contract is not ready for a vote. It needs to be withdrawn and set over for the new Mayor.

dan handelman  
--Portland Copwatch

----- Forwarded message -----

Date: Mon, 26 Sep 2016 13:28:40

From: Portland Copwatch <copwatch@portlandcopwatch.org>

To: Portland City Council -- Commissioner Amanda Fritz  
<amanda@portlandoregon.gov>,  
Commissioner Dan Saltzman <dan@portlandoregon.gov>,  
Commissioner Nick Fish <Nick@portlandoregon.gov>,  
Commissioner Steve Novick <novick@portlandoregon.gov>,  
Mayor Charlie Hales <mayorhales@portlandoregon.gov>

Cc: News Media <newsmedia@portlandcopwatch.org>

Subject: COMMENTS: Do not lock in a bad police "union" contract for 4 years

Portland Copwatch  
(a project of Peace and Justice Works)  
PO Box 42456  
Portland, OR 97242  
(503) 236-3065 (office)  
(503) 321-5120 (incident report line)  
copwatch@portlandcopwatch.org  
<http://www.portlandcopwatch.org>

To Mayor Hales and Commissioners Fish, Fritz, Novick and Saltzman

Portland Copwatch calls upon the City Council to slow down the process on ratifying a proposed contract for the Portland Police Association. Since the term of the contract is three years and the old contract doesn't expire until June, 2017, action now will lock in impediments to accountability until mid-2020, when the next Mayor's race will be underway. It would make more sense to allow the incoming Mayor to negotiate the terms of the police officers'

contract that he has to supervise for the next four years.

As noted in the ordinance attached to the contract, the Portland Police Association hasn't even voted on this contract yet, meaning it's premature for Council to be discussing it.

While it has been an important goal of the community (and numerous experts who have advised the City) to get rid of the "48-hour rule," doing away with that cannot be the sole achievement of this round of bargaining. The PPA made it clear to the Community Oversight Advisory Board in 2015 that they believed the rule was necessary based on science that dictated a person needs two sleep cycles to refresh their memories. The very fact that they are willing to give up this rule in exchange for pay raises means their devotion to this pseudo-science is wafer thin. Furthermore, the City Attorney told Judge Simon last fall that the 48-hour rule has rarely if ever been invoked in recent years as officers have been coming in for voluntary interviews, albeit 3 or more days after shooting incidents. Moreover, it seems as if officers will have longer than 48 hours in cases where they will now be allowed to review not just their police reports but body camera footage in non-deadly force cases.

By giving away the financial demands of the PPA in exchange for removing just one public policy issue, the City has nothing left to negotiate further changes.

PCW sent a letter to the Mayor and Mayor-elect in August (in conjunction with the AMA Coalition and the Portland NAACP) which outlined specific changes that should be negotiated into this contract.

For example, we called for the City to fix the binding arbitration clause so officers who are fired stay fired. Our suggestion is to at least move deadly force incidents to the civil service board system so that ultimately a judge, not a biased arbitrator, might decide if firing an officer was valid.

We also listed a number of issues in the contract that act to impede our police oversight system. Independent Police Review Division Director Constantin Severe outlined some of those aspects in a presentation to Council just two weeks ago on September 14. Those elements include the ability of IPR to investigate officer-involved shootings and to compel officer testimony, and for the Citizen Review Committee to be able to hear deadly force case appeals.

(<<https://www.youtube.com/watch?v=kMTmjO4NIH8>> at about 3:54:00)

We also had urged the City not to allow the PPA to bargain their ability to review body camera footage before writing police reports. While it's not written into the contract itself, the ordinance you are considering specifically lists that very issue is a mandatory subject of bargaining. Even though there is a prohibition in the draft PPB policy saying that there is an exception when officers use deadly force, (a) that is a policy that can be rewritten unless Council formalizes it into code, and (b) there is no such exception for police use of force which causes injury but not death.

The August letter also asked that the City make drug testing mandatory after deadly and excessive force incidents, the same way that federal rules require truck drivers to take drug tests when they injure or kill someone in an accident.

Most importantly we asked for two overarching things: one was that the bargaining sessions be held in public, the other was that public policy issues be separated out of the PPA's rightful negotiations on compensation, benefits and other workers' issues. As it happens, all the negotiations happened in secret and we only learned they were occurring through the media. And, as noted above, the remaining issues around getting rid of bad officers, improving misconduct investigations, reviewing deadly force, and now use of body cameras are all being dictated by a 900-member organization rather than the 600,000+ citizens of Portland.

The body camera policy also contains a large number of other problems, including but not limited to:

--The Special Emergency Reaction Team is not required to use body cameras, when they are most likely as a unit to use implements of deadly force.

--Officer discretion is tilted toward not recording self-initiated activity, unless there is "a likelihood of enforcement action being taken." This means officers will not have to record the common practice of patting down African American young men if they want to "speak like gentlemen" (Portland Tribune, 12/19/13).

--Despite the fact that two officers have left the force in the last two years for taking advantage of women who'd been involved in sexual abuse investigations, officers are asked to turn their cameras off when talking to such persons. Perhaps a better policy would be to record the interaction but put stricter rules on the release of such footage.

--Broadening out from that concern, the policy seems to be emphasizing the use of the footage for prosecuting community members (with numerous references to the District Attorney\*), rather than holding officers accountable for misconduct, which is how the City has been selling the idea of this multi-million dollar investment.

Also, though officers have to verbally notify civilians they are being recorded, they do not have to remind them of their Fifth Amendment right to remain silent.

We also remind Council that (as noted in the draft policy) the release of footage in high-profile incidents will need to be redacted to blur out participants' faces because of a terrible clause that was added to the state law on body cameras. We urge Council to test the law (and try to change it) by allowing participants to sign off on having their faces shown, and by showing police-- who are public employees-- in such videos.

In summary, we urge the City to put the current draft of the PPA contract on hold, allow the new Mayor to help bargain actual meaningful changes to the contract, and consider changes to body camera policies-- which Council should then vote into code rather than allowing the PPB to change them on a whim.

Thank you for your time

dan handelman  
portland copwatch

\*-One provision warns officers to remember that the DA may have to share the footage with defense attorneys, leading to questions as to why an officer would take that into consideration if the goal is getting to the truth.

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Thursday, September 29, 2016 3:43 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Letter to Council re: PPA contract negotiations  
**Attachments:** Sisters Letter to Council re PPA contract 9-2016.docx

**From:** Shannon Cogan [mailto:shannon@sistersoftheroad.org]  
**Sent:** Thursday, September 29, 2016 12:28 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>  
**Subject:** Letter to Council re: PPA contract negotiations

Hello all,  
Attached are Sisters' comments regarding the contract negotiations. I hope these are not too late for consideration.  
Thank you,  
Shannon

--  
Shannon Cogan  
She/Her  
Community Engagement Co-Manager  
Sisters Of The Road Cafe

**SISTERS  
OF THE  
ROAD**



133 NW Sixth Avenue, Portland, Oregon 97209  
Main: 503.222.5694 | fax: 503.222.3028  
[www.sistersoftheroad.org](http://www.sistersoftheroad.org)

1 8 8 0 3 7

September 28, 2016

Mayor Hales and Commissioners,

Thank you for taking the additional time to consider the PPA contract. Sisters Of The Road would like to join in the recommendations from Portland Copwatch regarding this contract. Sisters is publicly joining this conversation because our community of customers are regularly harassed and discriminated against by the police. Many in our community are disproportionately affected by historical and systemic injustices and interactions with the criminal justice system often further embed our community in poverty and homelessness.

We support a stakeholder committee primarily composed of community members to evaluate and, not just make suggestions, but also hold real decision making power when considering body-cam policy. The 48-hour rule must be eliminated as well. The time for emotional processing and consideration of actions with irreversible impacts is not given to any individual citizen when accused of shooting someone and then brought in for questioning. Individual officers are no different.

We would also like to point out that giving significant benefits to police officers is not likely to increase retention when the job itself is unsustainable. Many officers go into the force with ideals of keeping their community safe. However, when the reality of the job is not based in Portland's whole community safety, then officers are set up for failure. Spending more money on individual officers is a bandage solution. Long-term considerations of spending those funds on increased mental health, housing, and other restorative services for our community would make officers' jobs easier and ultimately increase retention.

During these contract negotiations, it is useful to consider why more community oversight of a group intended to be keeping a community safe would stall negotiations. What individuals and communities voices are being valued in negotiation? When we look at the mission of the Portland Police Bureau, how are we making sure our negotiations fall in line with the Bureau's promotion of community commitment?

Thank you for your time,

Shannon Cogan  
Community Engagement Manager  
[Shannon@sistersoftheroad.org](mailto:Shannon@sistersoftheroad.org)

503-222-5694 ext. 143



**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Thursday, September 29, 2016 9:02 AM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Do not renegotiate PPA contract without public involvement

Mustafa Washington  
Constituent Services Specialist  
Office Of Mayor Charlie Hales  
P: 503-823-4120  
mustafa.washington@portlandoregon.gov

-----Original Message-----

**From:** Addie Byrum [mailto:addie.byrum@gmail.com]  
**Sent:** Wednesday, September 28, 2016 6:39 PM  
**To:** Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Hales, Mayor <mayorcharliehales@portlandoregon.gov>; City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>  
**Subject:** Do not renegotiate PPA contract without public involvement

Dear all,

I am Adelaide Byrum, an employee of Lewis and Clark College. As a Portland community member and taxpayer, I write to demand that you do not renegotiate an unexpired PPA contract without public involvement and adhere to promised community engagement strategies. I demand that you take the time to listen to and incorporate the input of the Portland NAACP.

To quote from PDX NAACP, "City Hall should know it takes time and partnership to develop long-range vision that is based on consent of the governed. Volunteer-driven organizations like PDX NAACP can't effectively participate in review of a 70-page union contract, released on Friday for swift passage 2 ½ working days later. Council cannot benefit from 180-second 'input' moments prior to passage: we need access to subject matter experts, and a transparent and iterative process, in order to be a functional democracy."

Please listen.

Sincerely,  
Adelaide Byrum

Moore-Love, Karla

188037

**From:** Mike Green <mike@scaleuppartners.com>  
**Sent:** Wednesday, September 28, 2016 3:52 PM  
**To:** Council Clerk – Testimony  
**Subject:** Fwd: I Can Help (Don't Shoot PDX | Black Lives Matter)  
**Attachments:** ScaleUp Partners Deck 2016.pdf

Good afternoon. Can you please ensure that the mayor and all city commissioners receive this email?

Thank you so much!

mike

Mike Green, Co-founder  
ScaleUp Partners LLC  
541-730-2164 cell



[ScaleUp Partners makes history in Mississippi, Atlanta, Georgia](#)



**Mike Green**  
[about.me/amikegreen2](https://www.about.me/amikegreen2)

**My Latest:**  
Huffington Post: [White Privilege IQ Test: 5 Questions](#)  
Medium: [4 Ways to Make Colin Kaepernick Stand](#)

----- Forwarded message -----

**From:** Mike Green <mike@scaleuppartners.com>  
**Date:** Wed, Sep 28, 2016 at 8:25 AM  
**Subject:** I Can Help (Don't Shoot PDX | Black Lives Matter)  
**To:** Mayor Charlie Hales <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>  
**Cc:** Brian Worley <[brian.worley@portlandoregon.gov](mailto:brian.worley@portlandoregon.gov)>, Amanda Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>, Steve Novick <[novick@portlandoregon.gov](mailto:novick@portlandoregon.gov)>, Dan Saltzman <[dan@portlandoregon.gov](mailto:dan@portlandoregon.gov)>

Good morning Mayor Charlie Hales,

I have lived in Oregon for the past 12 years. I work nationally as a coalition-builder across fault lines of race, politics and socioeconomic status (see links below logo to my work in helping clients in Mississippi and Georgia).

**I can help you and the City of Portland** successfully navigate the challenges of engaging current protesters and the Black Lives Matter movement. I can also help your police department better understand the challenges they face and develop successful strategies of engaging communities of color, in particular black communities.

I'm co-founder of the nation's leading consultancy on Economic Inclusion & Competitiveness. We recently produced the [Inclusive America](#) Forum in Washington DC, in August.

I'm not asking to assist you with a PR problem, although my assistance may very well do that in the immediate circumstance. You have staff who can handle PR strategy. My approach to the problem isn't PR, although I have 20 years of award-winning media experience, including here in Oregon. My free advice is to not make the mistake of perceiving this current climate of discontent and disruption *solely* through the lens of public relations.

**Please see our attached info deck.**

Note: I will be speaking at the [Go Green PDX](#) Conference on Oct. 5.

Over the past several years in Portland, I have been active in the region in the following ways:

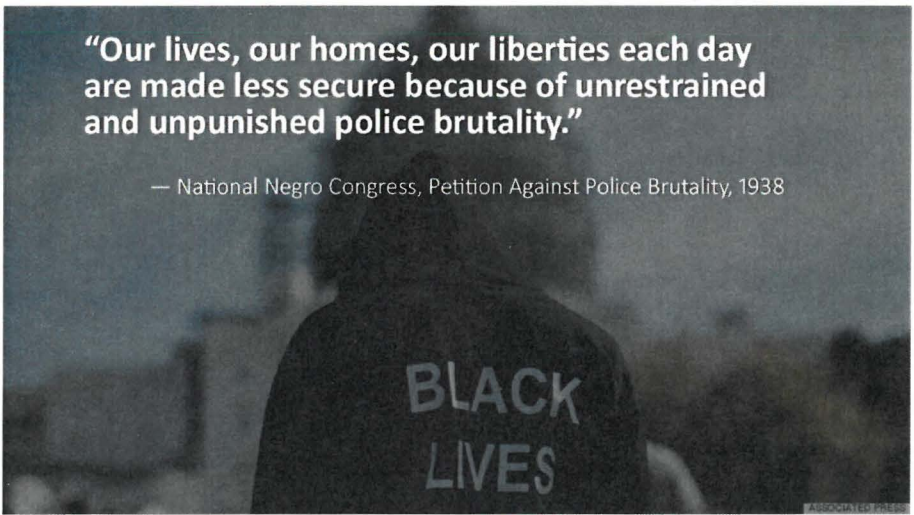
- Commissioned by the Portland Urban League to produce an essay on economic empowerment and wealth creation for inclusion in the State of Black Oregon Report.
- Contracted by the Urban League Young Professionals to produce a workshop on economic empowerment and inclusion for its members.
- Facilitated a Community Conversation on Inclusive Competitiveness with the University of Oregon Agora Journalism Center in downtown Portland.
- Participated in closed door meetings with PDC and GPI on developing economic inclusion and competitiveness strategies and policies.
- Inspired the founding of the Pitch Black PDX competition and currently working on scaling it nationwide
- Offered the keynote address for the MLK Breakfast (2012) that led to a continuing relationship with PDC, in which I provided background advice on matters of inclusion
- Produced a gathering of 70 black leaders at the University of Portland
- Produced a Scale Up Rally at Wieden + Kennedy for former governor John Kitzhaber, which included an agenda of leaders from around the nation
- Advised the SBIR/STTR Committee and assisted in producing the minority inclusion segment of its conference agenda
- Presented at the SSTI Conference in Portland on Innovation and Inclusion

**I would like the City of Portland to consider** contracting me as a strategist to help the city think differently about how to effectively engage communities of color successfully and develop new strategies.

I can educate your staff and local leaders, stakeholders and influencers about core issues behind the complaints and protests emanating from black residents (hint: it's not limited to the visible protests over police brutality). This education extends to communities of color, which do not fully understand how to overcome systemic challenges that foster continual disconnect from a growing tech-driven innovation economy.

The key to quelling the current complaints and avoiding future public disruptions is to address core systemic issues. Unfortunately, core issues aren't being addressed in any city anywhere in the nation. This is both a problem and opportunity.

But don't get me wrong. I know there are active city members of the National League of Cities and Cities United. I know there are fragmented efforts ongoing around black male achievement. There are foundations and government investments in programs that do good work in minority communities. All of these are good and necessary efforts. But, as the evidence clearly shows, these efforts are insufficient to prevent uprisings and protests and disruptions in public spaces on a cyclical basis. This cycle is generations old. That's because none of the great work being done addresses core systemic issues. I provide some background [here](#).



**Portland has an enormous opportunity to disrupt the trend**, captivate the energy of Black Lives Matter and channel it into productive progress, thus establishing a precedent and model for cities across the nation. There are already seed elements in place to establish a foundation upon which to grow progress in Portland. But these elements aren't connected and working together.

**You, Mayor Hales, along with your commissioners, can leave a profound legacy of inclusion impact and influence in this city** that can set the tone for cities across America, many of which are dealing with disruptions and unrest in black communities.

I can help.

Let's talk today.

mike

**America is on its knees** begging media to focus attention on core issues that matter to communities experiencing the impact of systemic institutional biases and injustices.

**REAL ISSUES:**

- Systemic economic deprivation, strangulation
- Generational poverty, lack of wealth
- Educational segregation and deplorable schools
- Anemic business productivity, economic apartheid
- Lack of economic infrastructure, lack of resources
- Lack of economic competitiveness strategies, plans
- Chronic high unemployment, regardless of education
- Disparity in policing, sentencing, incarceration

**MEDIA ISSUES**

- White Privilege
- White Pride
- White Patriotism

**The Perilous Fight**  
National anthem protests led by Colin Kaepernick are fueling a debate about privilege, pride and patriotism  
By Susan Gregory

Time Magazine

Mike Green, Co-founder  
ScaleUp Partners LLC  
[541-730-2164](tel:541-730-2164) cell



[ScaleUp Partners makes history in Mississippi, Atlanta, Georgia](#)



**Mike Green**  
[about.me/amikegreen2](https://about.me/amikegreen2)

My Latest:  
Huffington Post: [White Privilege IQ Test: 5 Questions](#)  
Medium: [4 Ways to Make Colin Kaepernick Stand](#)

PORTLAND POLICE ASSOCIATION CONTRACTIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (PRINT)	ADDRESS AND ZIP CODE (Optional)	Email (Optional)
✓ Isabel Sheridan	1300 NE 16 <sup>th</sup> Ave., #1304, PDX 97232	iasheridan44@gmail.com
DR LEROY HAYNES JR	AMA COALITION FOR JUSTICE & POLICE REFORM	
✓ DAN HANDERMAN	PORTLAND COPWATCH	
✓ JO ANN HARPESTY	NAAACP PORTLAND	
✓ KHALIL EDWARDS	BASIC RIGHTS OREGON	
✓ KIMBERLY <sup>McCullough</sup> McCULLOUGH	ALL U OR OREGON	
✓ TERESSA RAIFORD	DON'T SHOOT PORTLAND	
✓ ASHLEE AEBLES	NATIONAL LAWYERS GUILD	
✓ TOM STENSON	COMMUNITY MEMBER / COAB MEMBER	
✓ CAROL LAMPSON	PORTLAND COPWATCH	
✓ Gary Marschke	6027 NE 34 <sup>th</sup> Ave 97211	marschke.g@gmail.com

**PORTLAND POLICE ASSOCIATION CONTRACT**

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (PRINT)

ADDRESS AND ZIP CODE (Optional)

Email (Optional)

✓ Charles JOHNSON		
✓ Robert west		
✓ <del>11:00</del> <del>1:36</del> Tael Wake		
✓ Lightning Watchdog PDX		
✓ Jamal Williams		
✓ Micah Rhodes		
✓ Gregory McKelvey		
✓ Karen Mitzner	NAACP, Quaker Racial Justice Group	<del>co-create</del>
✓ GREGORY MONAHAN	7225 SW 13TH AVE 97219	gregorymonahan29@gmail.com
✓ Joe Meyer		
✓ Cameron Stark		

PORTLAND POLICE ASSOCIATION CONTRACT

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (PRINT)

ADDRESS AND ZIP CODE (Optional)

Email (Optional)

✓ Maggie Adam		briana.staples@gmail.com
✓ Briana Staples		
✓ Daniella James		
✓ Seanalle <del>James</del> Hart		
✓ NeVaeh Lafa		
✓ DAVID DAVIS		
10/6 ✓ MYRLAVIANI-PEREZ-RIVIER		
1eA ✓ DICK SPRINGER	7624 SE 19TH 97202	
✓ Katy Liljeholm	3802 SE 66 <sup>th</sup> Ave 97206	katy.liljeholm@gmail.com
✓ DAN LOWKON		
✓ PHILIP J. WOLFE	954 NW Naito Parkway PDX 97209	philip.wolfe@PortlandDisability.com



**PORTLAND POLICE ASSOCIATION CONTRACT**

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (PRINT)

ADDRESS AND ZIP CODE (Optional)

Email (Optional)

NAME (PRINT)	ADDRESS AND ZIP CODE (Optional)	Email (Optional)
✓ MICHAEL W DURROW	4035 NE 15th AVENUE PORTLAND OR 97211-4639	wed@durrow@gmail.com
✓ Jessica Sponberg	on file	_____
✓ Aesha Lorenz Al-Saeed		

Agenda Item ~~1065-1067~~

TESTIMONY

10:45 TIME CERTAIN

1065  
PPA Contract

SW BOND AVE EXTENSION

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (PRINT)

ADDRESS AND ZIP CODE (Optional)

Email (Optional)

NAME (PRINT)	ADDRESS AND ZIP CODE (Optional)	Email (Optional)
✓ Aesha Loreny Al-Saeed	2747 SW Roswell, 97201	eyez_loreny@mail2world.com
✓ Matthew Klug	2936 S.E. 37th 97202	— —

*Philip Wolfe testimony 9/28/2016*

Hello... mayor and commissioners here... it is weird to be back to that darn lap top, haha... um... for the record, my name is Philip j wolfe... I have been serving as a voting member for COAB and I am also executive committee chair, and a voting member with accountability sub committee under COAB. With that said, I would like to represent myself as a community member today. I have many concerns but first, let me ask you, what does it mean to be a part of a community? What does community means to you? Raise your hands in the audience, who is a member of community here?

What's interesting is that some of you commissioners didn't raise your hand. YOU ARE a community member as well. You represent us... which concerns me. Now... my next question, how many of us have suffered negative interactions with the police? Raise hands

Im sorry...okay... please help me understand this... I took cosmetology class which requires 1600 hours... while police require to take 460 hours... I deal with a tool, called scissors, and police deal with gun. I experience few nicks, and cuts. Gun is a different story. This concerns me. With that said... I am asking you to put off the signing contract. I have been around the block and I don't know how much you trust me with my commitment, goal and passion, but I am asking you to hold it off since PPA contract hasn't expired yet, why the rush?

Finally, I cocur with Joanna, tom, and several others with what they have said. Now with the amendment on the body camera... which is great, but I am curious, of the due process when selecting people from shareholders, how is it inclusive? I am concerned about that mainly. I believe that body camera is an effective tool for de-escalation approach. It protects us, as well it protects the police. Police shall not have access to review, this does not support transparency.

Thank you for your patience... My hands are shaking... Portland is beautiful city. I felt at home for the first time and later as I get to know the inside, I saw the ugly part which deeply saddens me because we are living in a military style in America. Portland on the other hand has great potential to be different. We are short staffed... I am worried... I see all of you white, with privilege, only ONE woman which I highly respect what you have experienced... I ask all of you to use your privilege to empower us. Listen to us. Take us seriously. Please. Thank you.

188037

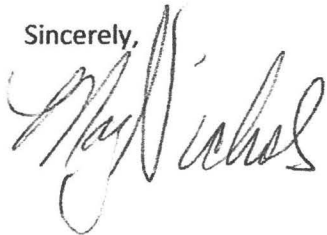
9-28-16

Dear City Commissioners,

As a black woman and social worker living in Oregon, I am in favor of all efforts to increase women and minority involvement in the workforce, in this case, specifically the construction industry. In my own experience, it is very hard for minorities to find jobs in Oregon no matter what industry. In fact, it was my job at one point to help people with mental illness, some of whom had criminal records, to find jobs. Jobs make a difference in their lives. Before I moved to Oregon, I worked at a shelter for women and their children. Those who had opportunities for steady employment were able to move on and provide stable homes for their families.

It has recently come to my attention that the city is planning to eliminate the Community Benefits Agreement. Under the CBA, two projects have been completed with 40% utilization of minorities and women. The CBA projects put equity at the forefront and makes it a priority. This has opened so many doors for women and minorities in the construction industry and that work should be continued. It is my belief that programs like this are vital to increasing diversity in the workplace and they set an example of what the construction industry could look like. Please take all of our pleas into consideration before removing the CBA. This program works so let's not fix something that isn't broken.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Nicholas". The signature is written in a cursive style with a large, looping initial.

188037

9-28-16

Dear City Commissioners,

My name is Leilani Ness. I am a single mother living in NE Portland and I am a welder at Vigor Industries. I went through the welding program at PCC and now earn much more than I would at a minimum wage job like McDonalds or Walmart. I can earn enough at this job to provide for myself, my daughter, other family members, as well as finally have savings. Welding and other jobs in the hard trades have long since been considered to be predominantly male and I hope to help change that stereotype.

It has recently come to my attention that the city is planning to eliminate the Community Benefits Agreement. Under the CBA, two projects have been completed with 40% utilization of minorities and women. The CBA projects put equity at the forefront and make it a priority. As a woman in the trades, it is my belief that programs like this are vital to increasing diversity in the workplace and setting examples of what the construction industry could look like. Please take all of our pleas into consideration before removing the CBA. We are telling you that this program works and so please do not ignore us.

Sincerely,

Leilani Ness

9-28-16

Dear City Commissioners,

My name is Nicky Nicholson-Klingerman and I work for O'Neill Construction Group as an assistant project manager. I graduated from Northwestern University with a degree in journalism. Since moving out here, I have become fully inundated in the construction industry.

I have met many women and people of color in the hard trades. It started when I began working at Tongue Point Job Corp. I personally counted the demographics and compiled the data. One third of the students were of color and half of the students were women. When I worked at Clean Energy Works, I met a fellow black woman who is a Home Performance Advisor, a former architect and a mother. She could climb into attics and crawlspaces with the best of them.

One of the excuses often given for the lack of diversity and utilization in the construction industry is that minorities and especially women are not interested in this job. I have seen women and minorities from the very beginning of the careers all the way to those who are thriving and I can testify categorially that it isn't true. Yet that perception still exists. Perhaps it is because the people at the top don't see it. Just because you don't personally see them, doesn't mean they aren't there.

According to the data gathered by the City, even when women and minorities are interested in the field they are still not being utilized. They are hired, fired after a few days, then are counted to fill the contractor's minority/women quota. A large majority of minority/women apprentices never become journeymen and are often relegated to sweeping, cleaning and menial tasks. With so many obstacles in front of them, it's hard to imagine why any woman/person of color would wish to work in the construction field.

However, it's a very well-paying job that doesn't always require 4-year degree that leaves someone with debt. This is especially important when we look at the high rate of poverty in our communities of colors. People of color in Multnomah County earn half the median income of whites, \$16,636 annually, and the unemployment rate is 35.7% higher than whites. By increasing minority utilization in the construction industry, we could have an impact on the rate of poverty.

It is then reprehensible and deplorable that the city is planning to eliminate the Community Benefits Agreement. Under the CBA, two projects have been completed with 40% utilization of minorities and women. The CBA projects put equity at the forefront and makes it a priority. As a project manager in the field and as a black woman, it is my belief that programs like this are vital to increasing diversity in the workplace and setting example of what the construction industry could look like. Do not take away the one program that is actually having an impact in increasing diversity and on the big picture of decreasing poverty in our communities. Please take all of our pleas into consideration before removing the CBA. We are telling you that this program works and so please do not ignore us.



Nicky Nicholson-Klingerman

9-28-16

Dear City Commissioners,

My name is David Nicholson-Klingerman and I am a Licensed Professional Counselor. I mostly work with young people in school and I have my own private practice. Before coming to Oregon, I worked at Catholic Charities in predominantly impoverished, communities of color. In my vast experience, I have come to recognize that one of the biggest barriers for low-income people is lack of opportunities.

I am in favor of all efforts to increase women and minority involvement in the workforce, in this case, specifically the construction industry. People of color in Multnomah County earn half the median income of whites, \$16,636 annually, and the unemployment rate is 35.7% higher than whites. Construction is a well-paid industry which makes it a great opportunity for low-income people to break out of poverty and help shape our growing city in the process.

It has recently come to my attention that the city is planning to eliminate the Community Benefits Agreement. Under the CBA, two projects have been completed with 40% utilization of minorities and women. The CBA projects put equity at the forefront and made it a priority. This has opened so many doors for women and minorities in the construction industry and that work should be continued. It is my belief that programs like this are vital to increasing diversity in the workplace and they set an example of what the construction industry could look like. Please take all of our pleas into consideration before removing the CBA. This program works so let's not fix something that isn't broken.

Sincerely,



David Nicholson-Klingerman MA LPC

188037

9-28-16

Dear Commissioners, Mayor Hale,  
Mr Fish, Ms Fritz, Mr Novak

I've heard a lot of testimony today that moved me to share a Muslim American's insight. Please ~~stop~~ <sup>don't</sup> overriding public opinion -- ~~we're~~ so grateful to have this forum to be heard, but the fluoride phrase cuts my family + friends to the heart. If you can override that please do so. It's poisonous for the pineal gland among other things.

I wanted to bring up the fact that we must try harder to identify officers or future officers in training who have hidden prejudice or bias against others of different shades of skin or religion. Maybe specific safety measures in training or recurrent training to identify officers who have no sympathy or empathy for minorities.

It's fine to talk about officers with a good attitude willing to connect and help with the community and I remember in the 60's + 70's police were the friendly neighborhood officer.

Now training is so centered on crowd control and has lost too much individual outreach that we used to benefit from in more personal settings. We need friendly policeman who are willing to talk with us, in that case, I'm not against hiring additional members.

But we do need more time to study this, and hopefully the city and the nation can generate



188037

better criteria or psychological evaluation of police recruits and currently serving policemen and identify those with a pre-Martin Luther King mentality.

We Muslims whether German Arab American or wherever, we are all muslim Americans, and we are connected all of us intimately with black lives, brown lives, Police lives, all lives as sacred under God.

Mrs Aesha Lorenz Al-Saeed  
(former free lance journalist for  
Saudi Gazette Newspaper)  
lived 31 years in Jeddah.

2747 SW Roswell  
Portland, OR 97201  
(503) 223-8720

Muslim Community  
Center of Portland  
(now at Matt Dishman)

eyes\_lorenz@mail2world.com

P.S.

My grandfather Max Lorenz of Lorenz brothers Construction built Reed College Library, the Building on  $\frac{H}{12}$  and Morrison and general contractor for the WPA's Government Camp lodge at Mt Hood, among many other bldgs + homes in Portland Heights and Laurelhurst.

September 28, 2016

City of Portland Mayor  
and members of the  
Portland City Council



411 S.W. 2nd  
Avenue  
Suite 200  
Portland, OR  
97204  
503-548-2797  
info@progpary.or  
g

Dear Mayor Hales and members of the Council,

The Oregon Progressive Party calls on the City of Portland to delay ratification of the newly negotiated contract with the Portland Police Association until such time as public hearings and consultations can be held with all of the interested and concerned members of the Portland community. Without such public hearings and consultations, the proposed contract can only be regarded as a back-room deal.

The proposed contract will bind the City for years to come. Yet, the 2 ½ working days since it's release just last Friday does not provide community organizations with enough time to adequately review it's contents and implications. The Federally mandated Community Oversight Advisory Board has certainly not had time to convene and make any consideration.

The proposed contract includes at least these problematic provisions:

- existing arbitration features are unchanged
- meaningful public disclosure of employee conduct would be prevented
- a draft body-cam policy written without public involvement in the writing of that policy included in a contract which should not include public policy
- replacement of the 48-hour rule with a process which will take longer

The present contract expires approximately 6 months after the beginning of Mayor-elect Wheeler 4-year term. No apparent reason exists for rushing this contract though at this time. A contract which will be in effect for all 4 years of the new mayor's term should be negotiated by him, not by Mayor Hales.

Rebuilding trust on the part of the public is essential. Such unnecessarily rushed ratification continues to undermine that trust. Delay the scheduled ratification vote until the public has an opportunity to fully review the contract, provide adequate time for public comment, and then, if the council feels that the contract is in the public's interest, ratify it later, preferably after the new mayor's term begins.

Sincerely,

David e. Delk, Chair  
Oregon Progressive Party State Council

NATIONAL LAWYERS GUILD  
PORTLAND, OREGON CHAPTER



POST OFFICE BOX 40723  
PORTLAND, OREGON 97240-0723

DATE: September 28, 2016

TO: Mayor Charlie Hales  
Commissioner Dan Saltzman  
Commissioner Amanda Fritz  
Commissioner Nick Fish  
Commissioner Steve Novick

FROM: Portland Chapter of the National Lawyers Guild

CC: Auditor Mary Hull Caballero  
IPR Director Constantin Severe

RE: CONCERNS REGARDING PORTLAND POLICE ASSOCIATION  
CONTRACT

Dear Mayor Hales and City Commissioners:

The Portland Chapter of the National Lawyers Guild (NLG) strongly urges City Council to reject the proposed collective bargaining agreement (CBA) between the City of Portland and the Portland Police Association (PPA) that is currently on the table. It should be a matter for the new mayor to weigh in on as it will greatly affect his term as Police Commissioner.

Just as we saw with the recent City proposals regarding the Citizen Review Committee and the Community Oversight Advisory Board, this is another major change to police accountability being unnecessarily rushed into effect. This community has worked so long and hard on these issues. It is beyond frustrating to see this proposal made without sincere community involvement and presented to you for a hasty decision. It may technically satisfy a requirement of the City's settlement agreement with the Department of Justice, but it does not serve the overarching goal of that agreement.

For example, elimination of the 48-hour rule is a requirement of the agreement, and has been sought by the community for years. But the agreement still includes the other subsections of Article 61.2 that allow officers to come up with prepared answers for investigators:

61.2.1 **Interview Notice.** Prior to being interviewed regarding an IAD or EEO investigation for any reason which could lead to disciplinary action, an officer shall be:

61.2.1.1 Informed of the nature of the investigation and whether the officer is a witness or a suspect, if and when known; informed of other information necessary to reasonably apprise the officer of the nature of the allegations of the complaint. Such information shall be provided in a reasonable period of time following its receipt by the City.

61.2.1.2 Afforded an opportunity and facilities to contact and consult privately with an attorney of the officer's choosing and/or a representative of the Association, provided this does not delay the investigation.

The City and PPA's September 12, 2016 "Tentative Agreement" clarifies revised Article 16.2.1 by saying "For investigations other than those involving use of deadly force incidents and in-custody deaths, prior to the IAD, IPR, or EEO interview, the officer will be afforded a *reasonable opportunity* to review the officer's police reports and body camera audio/video, and other audio/video that the officer reviewed at the time they wrote their report(s)." (Emphasis added.) Subsection 9.1 of the proposed Body Worn Camera Procedures Directive allows members to "review any relevant audio/video from the body camera system before writing a report regarding an incident." The City has inexplicably conceded that "the subject of review of audio/video as set forth in Section 9 of the BWC Policy and DIR 1010.10 is mandatory for bargaining."

In reality the 48-hour rule has been only partially removed in the proposed CBA. The above policies, if put in place, would continue the very problem underlying the 48-hour rule—creating the opportunity for, and suspicion of, police officers modifying their story of an incident based on information from other people and sources.

At a minimum, Subsection 61.2.1.1 of the CBA must be more specific and permit only notification that there is an investigation underway and the date, time, location, and conditions of the interview. Subsection 61.2.1.2 and the procedure outlined in subsection 9.1 of the body camera directives should be removed. Officers should be prohibited from sharing their review of any video footage with any officers involved in the incident. Furthermore the City should not concede that the entirety of the body-camera directives are subject to mandatory bargaining.

If we had the opportunity to provide input to these proposals, we would have reminded the City and the PPA that the Oregon Employment Relations Board has found that providing notice to an employee of the specific allegations against him and the complaining party's identity, and allowing the employee the opportunity to provide information first are permissive subjects of bargaining. *Oregon Public Employees Union v. Oregon Executive Department*, 14 PECBR 746 (Or. Emp't Rel. Bd. 1993). Similarly, the Board found that requiring an employer to notify employees of a complaint within 48 hours, divulging information concerning the complaint to the accused at least 72 hours before questioning, and allowing the accused to consult with a representative during an interview are permissive bargaining subjects because they "substantially defeat[] the purpose of such an interview." *Association of Oregon Corrections Employees v. Oregon Department of Corrections*, 14 PECBR 832 (Or. Emp't Rel. Bd. 1993). The Board explained that these issues are not subject to mandatory bargaining because the "purpose of [the interview] is to obtain the employee's own candid, spontaneous, and unvarnished rendition of the events under investigation. The employee has no legitimate interest in providing anything else." *Id.*

Historically, the City of Portland has blamed its CBA with the police union for its inability to take steps to increase independent oversight of police. You may recall the controversial code changes sought by the Portland Auditor's Office and its Independent Police Review Division (IPR) in Fall 2013, including giving IPR the power to compel officer testimony. The PPA objected, arguing that the issue was one for mandatory bargaining. Then-Auditor, LaVonne Griffin-Valade, expressed frustration that Council members and her office "apparently received conflicting statements on the matter of what may or may not be subject to mandatory bargaining." The former Auditor had been informed by the City Attorney's Office that giving IPR the power to compel officer testimony would likely not be subject to mandatory bargaining and that it was possible to craft an admonition to officers that would meet Constitutional requirements. Former Chief Reese, however, made a public pronouncement that IPR's ability to compel officer testimony is subject to mandatory bargaining. In her October 28, 2013 memorandum to City Council, Auditor Griffin-Valade said "No matter what, Council members are apparently unwilling to go on record as expressing their support for the City's civilian


oversight agency to seek such authority.”

In December 2013, the NLG submitted a legal memo providing City Council with information about its ability to give IPR authority to compel officer testimony. But, without explanation, Council decided to move forward with watered-down reforms in February 2014, including a code change that would allow IPR to conduct their own inquiries into alleged police misconduct and directly question officers, but only after a Police Bureau liaison ordered an officer to speak. In response to the community outcry for more, Mayor Hales was quoted in the Oregonian as saying “How do you change big organizations and how they operate? You establish clearly where you want to go...And make steady changes. I expect the relationship of the Portland Police Bureau with the citizens to be one of trust and mutual respect.”

Here we are, three years later, with a proposed CBA—bargained mid-contract and behind closed doors—to last four more years that does nothing to empower IPR to conduct independent investigations and compel officer testimony. The public has once again been denied the opportunity to weigh in on critical issues embedded in the CBA at the drafting stage, such as an officer’s right to only be interviewed by another officer, which the City claims prevents it from giving IPR more authority through ordinance. The 48-hour rule has been sneakily preserved by removing the specific time-frame, but including all the essential components elsewhere in the Tentative Agreement, proposed CBA, and Directives.

While we foremost propose the City reject the bargaining agreement before it in its entirety, if a version is to be accepted, it should not be this one. Public policy related to police oversight and accountability should not be bargained away behind closed doors.

Sincerely,



Kristen Chambers

Ashlee Albies

Shauna Curphey

Portland NLG Policy Board Members



**To: Portland City Council**  
**From: Khalil Edwards, Racial Justice & Alliance Building Manager, Basic Rights Oregon**  
**Date: September 28, 2016**  
**Re: Portland Police Association Contract**

Mayor Hales and the Portland City Council,

I am Khalil Edwards, Racial Justice and Alliance Building Manager at Basic Rights Oregon, the state's largest LGBTQ policy and advocacy organization.

The LGBTQ community knows well what it's like to be the target of police raids, violence, abuse and profiling, which is why we continue to stand with this coalition on this issue of policy accountability and transparency.

The mistrust and fear our collective communities have about our criminal justice system is based on real experiences and a long history of misconduct from a system in desperate need of reform.

This mistrust will not disappear until we deliver an open and transparent process around police accountability and reform.

We recognize that this process can be painful and uncomfortable—this is democracy at work. The process of openness, transparency and inclusion will go a long way toward building the trust the community needs in our criminal justice system.

On behalf of Basic Rights Oregon, we join our partners in asking the City Council to:

1. Slow down the process on ratifying a proposed contract for the Portland Police Association. It is premature and works against the progress of healing our communities.

2. Address the many issues in the contract that act to impede our police oversight system.
3. Finally, we would add that is important to not to lose sight of the goal of this process. We are here because of the lack of trust the community has in this process. The only way to rebuild that trust, is for the City of Portland to be transparent and inclusive of the community most affected. Give us a voice in this process. Do not separate this discussion from Community Oversight.

We appreciate the work that has been done towards progress. We must do away with the 48-hour rule, and we must do this the right way. Portlanders deserve better. Let's get this process right--slow this process down.

Thank you for the opportunity to testify today.



**Albina Ministerial Alliance Coalition for Justice and Police Reform  
c/o Dr. T Allen Bethel Maranatha Church 503-288-7241**

188037

9-28-16

The Albina Ministerial Alliance Coalition for Justice and Police Reform (AMAC), a long standing group of individuals and organizations has and continues to work towards those ends -reform and justice. We do believe that they are both reachable and sustainable. However, to reach and sustain these goals, all parties, Citizens and those we employ - city elected officials and law enforcement personnel must commit to transparency, fairness, equity and a willingness to do so.

In light of the pending Portland Police Association's proposed contract for City Council vote, we issue the following statements:

The AMAC has for years called for the elimination of the "48 Hour Rule." The AMAC continues to advocate for swift, thorough and comprehensive investigations into any alleged misconduct of officers. We affirm and support the elimination of the "48 Hour Rule" and the prohibition on reviewing body camera footage for deadly force incidents. However, we oppose any officers having the ability to delay or review footage on excessive force and other serious incidents. The footage is to establish the facts and not help any officer to delay or view to get their story correct.

Secondly, we call on our duly elected Mayor and Police Commissioner along with all Council members to uphold the laws, policies and enforcement thereof in all matters and dutifully carry out the what they pledged and were sworn in to do. We oppose The PPA being allowed to file a grievance about issues on reviewing footage in the body camera policy-- City Council sets city policy and the police follow that policy. Therefore, Council, step up and take your lawful place as government and policy makers and not allow your authority of policy making be relegated to those who are accountable to you as employees of the citizens of the City of Portland, who employ you.

Finally, at a time when lack of transparency is causing uprisings in other cities, the City should be striving for more transparency with the public, seeking engagement and the rebuilding of trust. While it is good that the Chief will have the discretion to release footage in some instances, we need stronger provisions including changing the state law requiring that all faces be blurred out. A purpose of said footage is to know who was involved, what were the actions and identity, not a redacted face - nothing to hide - give us transparency for justice and reform.

The AMAC continues to work towards justice and police reform, commending the actions taken to move forward and yet a herald for those things that still remain, remember this is a marathon and not a sprint, we are running this marathon to the finish line.

Rev. Dr. T. Allen Bethel, Co-Chair AMAC

----- Forwarded message -----

Date: Wed, 17 Aug 2016 13:49:35 From: Portland Copwatch <copwatch@portlandcopwatch.org>  
 To: Portland City Council -- Commissioner Amanda Fritz <amanda@portlandoregon.gov>,  
 Commissioner Dan Saltzman <dan@portlandoregon.gov>, Commissioner Nick Fish <Nick@portlandoregon.gov>,  
 Commissioner Steve Novick <novick@portlandoregon.gov>, Mayor Charlie Hales <mayorhales@portlandoregon.gov>  
 Cc: Mayor-Elect Ted Wheeler and the public <copwatch@portlandcopwatch.org>, News Media  
 Subject: Proposals Regarding Portland Police Association Contract

From: Portland Copwatch, NAACP Portland Branch, and the Albina Ministerial Alliance Coalition for Justice and Police Reform

To: Mayor Charlie Hales, Portland City Council, and Mayor-Elect Ted Wheeler

## PROPOSALS REGARDING PORTLAND POLICE ASSOCIATION CONTRACT

1. The City must push to make public all bargaining sessions with the Portland Police Association (PPA). Such public sessions were held in 2010 and 2013.

2. Changes to the contract that are about public policy and not workplace safety or other mandatory bargainable issues shall not be included in the contract. This includes, but is not limited to, setting policy on body cameras. In that regard, there shall be no viewing of body camera footage by officers before they write their police reports. Body cameras are being promised to the community as a way to hold officers accountable.

3. Changes made to the contract to improve community-police relations and only relating to public policy, such as the ones outlined below, shall not be bargained in exchange for financial gain or incentive by the PPA or its members.

4. Make the following changes to the contract:

a ) modify the binding arbitration clause so that terminations based on improper police action that involved deadly force and/or a death in custody goes instead to the Civil Service Board and the courts rather than an arbitrator. Community members' desire is to see officers who are fired to stay fired, and are concerned that arbitrators are not making neutral decisions.

[Article 22.5 states that an arbitrator's ruling will be final and binding.]

b) end the 48 hour rule.

[Article 61.2.1.3 reads: "Whenever delay in conducting the interview will not jeopardize the successful accomplishment of the investigation or when criminal culpability is not at issue, advance notice shall be given the officer not less than 48 hours before the initial interview commences or written reports are required from the officer."]

c) allow compelled testimony by a civilian agency investigating misconduct claims.

[Article 61.2.2 states interviews will take place at a Portland Police Station facility (though there are provisions to do them elsewhere, 61.2.2.2) and that the interviewer is implied to be a sworn officer as the member "shall be informed of the name, rank, and command of the officer in charge of the investigation" (61.2.2.4).]

d) allow IPR or similar agency to have jurisdiction over deadly force cases.

[Article 62.1.3 states IPR has "no authority or responsibility" on a series of other articles, which are:

- 59: Performance evaluations
- 61.6 Personnel file
- 61.7 Deadly force incidents
- 61.8 Criminal investigations]

e) require testing for drugs/alcohol/steroids after deadly force / excessive force incidents based on probable cause, due to how unusual it is for officers to apply deadly force. Deadly force is only used once in every 80,000-100,000 calls for service. Federal regulations require truck drivers who kill or injure people in accidents to be tested for alcohol/drugs. Police officers using deadly force should be subjected to the same scrutiny.

[Article 61.10 allows for random drug testing.]

We look forward to your response to these concerns.

--Portland Copwatch

--NAACP Portland Branch

--Albina Ministerial Alliance Coalition for Justice and Police Reform

**PROPOSED POLICIES FOR PORTLAND POLICE AROUND BODY CAMERAS**

from the Albina Ministerial Alliance Coalition for Justice and Police Reform

(9/17/15)

- 1--The community has to be involved in setting any rules if the Bureau decides to get cameras.
- 2--A third party Oregon company subject to Oregon law who's not the manufacturer nor any law enforcement entity should store the footage, to ensure access/storage and prevent tampering.
- 3--If civilians who are in the video ok its being released, the footage should be released. To the extent possible under state law, the images should not be blurred out of those who have given release permission.
- 4--Policy should require officers to turn cameras on before interacting with any community member. There must be increasing, structured disciplinary measures depending on the seriousness of violations, including failing to record interactions or turning cameras off during contact.
- 5--Officers should not be allowed to review the footage before giving statements/writing reports so that they don't use the footage to change their statements.
- 6--Police must inform community members that they are being recorded, and inform them of their rights to remain silent and not make incriminating statements or walk away as appropriate.
- 7--Police cannot use footage to gather data on people's lawful activity in violation of state law (181.575).
- 8--PPB shall not tie the video to facial recognition software to pull up information on people when they have no suspicion of criminal conduct.
- 9--Footage should be used to hold police accountable for officer misconduct/ criminal activity and to improve training and policy.
- 10--Footage should not be used to prosecute community members for minor infractions; and footage should not be used to retroactively go back and find minor crimes to prosecute.

---

**Fwd: public comment on PPB union vote**

4 messages

---

**TERESA J** <browningtj@msn.com>  
To: "dickspringer@gmail.com" <dickspringer@gmail.com>

Tue, Sep 27, 2016 at 7:50 PM

Sent from my iPhone

Begin forwarded message:

**From:** <browningtj@msn.com>  
**Date:** September 27, 2016 at 2:08:33 PM HST  
**To:** <mayor@portlandoregon.gov>, <dan@portlandoregon.gov>, <nick@portlandoregon.gov>, <amanda@portlandoregon.gov>, <novick@portlandoregon.gov>  
**Subject:** public comment on PPB union vote

Mayor and City Council,

"To restore public confidence in the law, elected officials around the country will have to stop reflexively truckling to police unions and demand contracts that actually reflect the public interest".

When Police Unions Impede Justice

-New York Times Sept. 3, 2016

"The protection that unions have secured has helped to create a "culture of impunity."

Samuel Walker, police accountability expert.

The Thick Blue Line

-The New Yorker Sept. 19, 2016

As relations have frayed nationally between the police and the communities they serve, police union contracts have come under scrutiny as a contributory factor. As a result, Citizens, newspapers, the DOJ and experts across the country have called for a better balance between the public interest and police labor demands. Reading the new, proposed PPB contract, it is apparent that Portland's City Hall is not paying attention to this national discussion.

The current proposal, allowing body camera previewing before an officer writes their incident report and the lack of timely investigations into police misconduct, are just brief examples of poor accountability and a disregard of public interest. For no apparent reason, there is a rush to get a four year contract in place. Speed rarely produces good policy nor does it allow for public input required for citizen buy-in and trust.

Please slow down. Look at this contract not only for how it benefits those who wear the Portland Police uniform but also how it serves the community and contributes to a healthy community police relation.

Please do not vote in favor of this PPB contract. Otherwise, as other cities across the country negotiate police contracts with an eye towards improving their police forces and building trust with the citizens, Portland will be stuck in a four year contract that does neither.

TJ Browning  
Sent from my iPhone



.September 28, 2016

Mayor Hales  
Commissioner Saltzman  
Commissioner Fritz  
Commissioner Fish  
Commissioner Novick  
Auditor Caballero

Re: Agenda Item 1065 for Portland City Council Meeting, September 28, 2015  
Ratify a successor collective bargaining agreement between the City and the Portland Police Association relating to the terms and conditions of employment of represented employees in the Portland Police Association bargaining unit

The Oregon Chapter of the Sierra Club stands in solidarity with the NAACP Portland Chapter in its opposition to approving the proposed contract.

This contract, as it stands, represents a missed opportunity to build trust with the community because:

- It does not address the issue of binding arbitration which has resulted in a lack of accountability for police officers.
- The contract was negotiated behind closed doors out of the view of the public.
- The contract was negotiated by the out-going Mayor depriving the public of the opportunity to hold the Mayor-elect accountable for this critical ordinance.
- The only opportunity for public comment is the limited time allowed today before the contract is due to be ratified.

**Because the existing contract does not expire until July 2017, the Oregon Chapter of the Sierra Club urges the Portland City Council to delay consideration of the contract until Mayor-elect Ted Wheeler has taken office and full public hearings have been held.**

Additionally, it appears that a procedure for police worn body cameras (body-cams) is also going to be discussed today. This procedure is listed in the published agenda only as Reference B. This important topic requires a full public discussion. Because body cams are a relatively new technology there is no recognized standard for their use, which impacts public privacy rights, their use in legal proceedings, and the public's right to view footage. The monetary impact of adopting this policy can also be substantial and needs to be addressed.

**The Oregon Chapter of the Sierra Club urges the Portland City Council to delay any consideration of body-cam procedures until there have been full public hearings on this complex topic.**

Please seize this opportunity to build public trust with an open community dialogue. In doing so, Portland can establish itself as a leader in community policing

188037

Thank you for your consideration of our comments.

*Gregory P. Monahan, PhD*

Gregory P. Monahan, PhD,  
Volunteer Organizer  
Oregon Chapter, Sierra Club

**COMMENTS: Do not lock in a bad police "union" contract for 4 years**

To Mayor Hales and Commissioners Fish, Fritz, Novick and Saltzman

Portland Copwatch calls upon the City Council to slow down the process on ratifying a proposed contract for the Portland Police Association. Since the term of the contract is three years and the old contract doesn't expire until June, 2017, action now will lock in impediments to accountability until mid-2020, when the next Mayor's race will be underway. It would make more sense to allow the incoming Mayor to negotiate the terms of the police officers' contract that he has to supervise for the next four years.

As noted in the ordinance attached to the contract, the Portland Police Association hasn't even voted on this contract yet, meaning it's premature for Council to be discussing it.

While it has been an important goal of the community (and numerous experts who have advised the City) to get rid of the "48-hour rule," doing away with that cannot be the sole achievement of this round of bargaining. The PPA made it clear to the Community Oversight Advisory Board in 2015 that they believed the rule was necessary based on science that dictated a person needs two sleep cycles to refresh their memories. The very fact that they are willing to give up this rule in exchange for pay raises means their devotion to this pseudo-science is wafer thin. Furthermore, the City Attorney told Judge Simon last fall that the 48-hour rule has rarely if ever been invoked in recent years as officers have been coming in for voluntary interviews, albeit 3 or more days after shooting incidents. Moreover, it seems as if officers will have longer than 48 hours in cases where they will now be allowed to review not just their police reports but body camera footage in non-deadly force cases.

By giving away the financial demands of the PPA in exchange for removing just one public policy issue, the City has nothing left to negotiate further changes.

PCW sent a letter to the Mayor and Mayor-elect in August (in conjunction with the AMA Coalition and the Portland NAACP) which outlined specific changes that should be negotiated into this contract.

For example, we called for the City to fix the binding arbitration clause so officers who are fired stay fired. Our suggestion is to at least move deadly force incidents to the civil service board system so that ultimately a judge, not a biased arbitrator, might decide if firing an officer was valid.

We also listed a number of issues in the contract that act to impede our police oversight system. Independent Police Review Division Director Constantin Severe outlined some of those aspects in a presentation to Council just two weeks ago on September 14. Those elements include the ability of IPR to investigate officer-involved shootings and to compel officer testimony, and for the Citizen Review Committee to be able to hear deadly force case appeals.

(<<https://www.youtube.com/watch?v=kMTmjO4NIH8>> at about 3:54:00)

We also had urged the City not to allow the PPA to bargain their ability to review body camera footage before writing police reports. While it's not written into the contract itself, the ordinance you are considering specifically lists that very issue is a mandatory subject of bargaining. Even though there is a prohibition in the draft PPB policy saying that there is an exception when officers use deadly force, (a) that is a policy that can be rewritten unless Council formalizes it into code, and (b) there is no such exception for police use of force which causes injury but not death.

The August letter also asked that the City make drug testing mandatory after deadly and excessive force incidents, the same way that federal rules require truck drivers to take drug tests when they injure or kill someone in an accident.

Most importantly we asked for two overarching things: one was that the bargaining sessions be held in public, the other was that public policy issues be separated out of the PPA's rightful negotiations on compensation, benefits and other workers' issues. As it happens, all the negotiations happened in secret and we only learned they were occurring through the media. And, as noted above, the remaining issues around getting rid of bad officers, improving misconduct investigations, reviewing deadly force, and now use of body cameras are all being dictated by a 900-member organization rather than the 600,000+ citizens of Portland.

(continued)

**PORTLAND COPWATCH**

a Project of Peace and Justice Works  
 PO Box 42456 Portland, OR 97242 (503) 236-3065  
 Incident Report Line (503) 321-5140 copwatch@portlandcopwatch.org www.portlandcopwatch.org

The body camera policy also contains a large number of other problems, including but not limited to:

—The Special Emergency Reaction Team is not required to use body cameras, when they are most likely as a unit to use implements of deadly force.

—Officer discretion is tilted toward not recording self-initiated activity, unless there is “a likelihood of enforcement action being taken.” This means officers will not have to record the common practice of patting down African American young men if they want to “speak like gentlemen” (Portland Tribune, 12/19/13).

—Despite the fact that two officers have left the force in the last two years for taking advantage of women who’d been involved in sexual abuse investigations, officers are asked to turn their cameras off when talking to such persons. Perhaps a better policy would be to record the interaction but put stricter rules on the release of such footage.

—Broadening out from that concern, the policy seems to be emphasizing the use of the footage for prosecuting community members (with numerous references to the District Attorney\*), rather than holding officers accountable for misconduct, which is how the City has been selling the idea of this multi-million dollar investment.

Also, though officers have to verbally notify civilians they are being recorded, they do not have to remind them of their Fifth Amendment right to remain silent.

We also remind Council that (as noted in the draft policy) the release of footage in high-profile incidents will need to be redacted to blur out participants’ faces because of a terrible clause that was added to the state law on body cameras. We urge Council to test the law (and try to change it) by allowing participants to sign off on having their faces shown, and by showing police— who are public employees— in such videos.

In summary, we urge the City to put the current draft of the PPA contract on hold, allow the new Mayor to help bargain actual meaningful changes to the contract, and consider changes to body camera policies— which Council should then vote into code rather than allowing the PPB to change them on a whim.

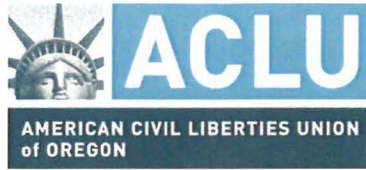
Thank you for your time

dan handelman  
portland copwatch

\*-One provision warns officers to remember that the DA may have to share the footage with defense attorneys, leading to questions as to why an officer would take that into consideration if the goal is getting to the truth.

*(continued)*





188037

Testimony of Kimberly McCullough, Legislative Director  
Proposed Ordinance Regarding Collective Bargaining Agreement and Body Camera Policy  
Portland City Council – September 28, 2016 – Item No. 1065

Mayor Hales and Commissioners:

Thank you for the opportunity to testify regarding Item No. 1065, which sets out the terms of a collective bargaining agreement (CBA) and Portland Police Bureau's (PPB's) body worn camera policy. We urge you not to pass this ordinance at this time or in its current form.

**As an initial matter, the ACLU of Oregon is disappointed that negotiations over the CBA have been held entirely behind closed doors.** Many of the terms of the CBA will significantly impact our City, yet the public has been shut out of the process and given very little time to review, evaluate, and respond to the terms of the CBA.

**This disappointment is even greater as it relates to closed-door negotiations over PPB's body camera policy.** As we stated in testimony to this Council on May 12, 2016 (attached), we believe the Oregon legislature intended for body camera policies to be crafted in each jurisdiction through a collaborative and meaningful process of community engagement. We supported HB 2571 under what we thought was a mutual understanding among stakeholders, including the City, that such a process would follow at the local level.

**Police body cameras have the *potential* to serve as a police oversight tool, but for the technology to provide oversight, reduce police abuses, and increase community trust, it is vital that they be deployed with good policies to ensure those goals are accomplished.** Without good policies, body cameras risk becoming just another police surveillance device—and one with very real potential to invade privacy. Especially important are policies governing when the cameras are turned on, and who has access to the footage under what conditions.

**We are particularly concerned that the policy states that police officers can review footage *before* writing their reports.** We strongly oppose this because, among other concerns, it can taint or distort an officer's testimony. Please note that we are in the process of thoroughly reviewing the body camera policy, since we are just now seeing it for the first time this week. In the meantime, we invite you to review our body camera policy recommendations, a copy of which is attached.

**While the agreement states that further public input *may* lead to additional changes to the body camera policy, this gives us little solace.** If ratifying this agreement will not impede further changes to the body camera policy, then what purpose is served by

including an explicit agreement about the policy in this ordinance at all? And why then is the policy attached to the same ordinance as a collective bargaining agreement that relinquishes the City's right to argue that certain provisions of the policy (officer viewing of footage) should be subject to permissive, rather than mandatory, negotiation?

**A track record of insufficient opportunity for community involvement during over a year of negotiations with PPA has damaged our faith in the possibility of post-ratification changes to the policy.** An initial draft appears to have been crafted over a year ago, and the policy has apparently been in its current form since at least as early as May 6, 2016.<sup>1</sup> Yet the public was not given an opportunity to view the draft policy or any of its provisions until this week, *after* PPB and PPA entered into a tentative agreement. Further, "public forums" hosted to solicit general input were not publicized well enough to draw a crowd.<sup>2</sup> The City should question the effectiveness of its promotion when community forums are sparsely attended on an issue of such great concern to our community.

**A request for general input in an online form is no substitute for actual feedback and dialogue on written policy provisions.** Without being able to see which policy proposals are being considered or the wording that is used to craft specific provisions, it is extremely difficult to effectively make comments. In addition, when a conversation flows entirely one-way without response, meaningful dialogue simply does not occur.

**On behalf of our 10,000 members who live, work, or visit in the City, we offered to work with the mayor's office and this council to help craft a better body camera policy, but we were not invited to the table.** In May of 2016, we urged the City to commit to meaningful engagement with the community and we requested direct involvement the policy vetting process. We followed up with email and phone offers for conversations with City staff on multiple occasions. Only this Monday, two days before proposed ratification of an agreement setting out the terms of the policy, an invitation was extended to meet with City staff. While we appreciate being contacted now and look forward to collaboration, this does not alleviate our present concerns.

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<sup>1</sup>The Agreement states that the policy is dated May 6, 2016, but the policy itself is dated July 1, 2015. This suggests that a draft policy was created at least as early as July 1, 2015. How can the City, PPB or PPA argue that this process has truly involved the community when they were deprived an opportunity to even see a *draft* policy for over a year into its existence?

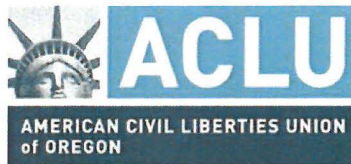
<sup>2</sup> While the agreement states more than six forums were hosted on this issue over the last twelve months as a demonstration of "substantial...public input," we can only find evidence of three forums in Fall/Winter 2015, with promotion for only two of these right before they occurred. Word about the other referenced forums was clearly not spread far when we could not even find evidence of them in the news or anywhere online.

**For an issue of such importance to the community, a workgroup of stakeholders should be convened to discuss the terms of a draft policy before any agreement is reached or ratified.** These are complicated and novel issues that require additional discussion and collaboration between *all* stakeholders. Police reform advocates and the public at large deserve to have a meaningful say in the creation of policies that govern police body cameras.

**There is still ample time for CBA and body camera negotiations if this ordinance is not passed today.** The City and PPA's current CBA is in effect until June 30, 2017. If PPA or PPB is uncomfortable entering into a CBA until the body camera policy is finalized, the CBA should simply not be ratified at this time. This would also give the public adequate opportunity to comment on the terms of the CBA which are not merely employment matters, but also have an impact on public safety, accountability, and transparency.

**In a time when community trust in law enforcement is unfortunately quite eroded, Portland deserves better.** ACLU of Oregon urges each of you to put the brakes on this agreement and open the door for meaningful community engagement.

Thank you for your time and consideration. Please reach out with any questions, concerns, or opportunities for further dialogue on these matters.



188037

**Testimony of Kimberly McCullough, Legislative Director  
Body Cameras in the Portland City Budget  
Portland City Council  
May 12, 2016**

Mayor Hales and Commissioners:

Thank you for the opportunity to submit testimony regarding the proposed budget, which includes an allocation of funding for body cameras to be used by the Portland Police Bureau. **We submit these comments to highlight the need for a carefully crafted policy on the use of body cameras which ensures that this technology will be used in a manner that promotes accountability and transparency.**

**It is our position that a body camera policy should be thoroughly vetted and solidified prior to any allocation of funding for body cameras.** While we appreciate Portland Police Bureau's creation of opportunities for the public to provide input on this issue over the last year, a draft policy has not yet been released. Without seeing such a policy in writing, it is very difficult for us to say that body cameras will be beneficial to the people of Portland.

While the ACLU of Oregon generally takes a dim view of pervasive government surveillance, we have supported the use of body cameras with the proper policies in place because of their potential as a tool for law enforcement accountability. At the same time, **body cameras are a surveillance tool and pose significant risks to privacy**, particularly when officers enter homes and encounter bystanders, suspects, and victims in stressful, embarrassing, upsetting, and extreme situations. This is why an accountability and privacy driven policy are so critical.

**Police body cameras are not inherently a useful and desirable tool; it is the vision and policies that guide their use that make all the difference. The Portland Police Bureau's vision for body cameras is currently a mystery to us, which is concerning.**

HB 2571, passed by the Oregon legislature in 2015, attempted to strike an appropriate balance between privacy and accountability. We supported HB 2571 and were grateful for the high degree of collaboration involved in its crafting. Yet **HB 2571 left many specific policy questions unanswered. These questions were left open with the idea that they would be resolved city-by-city, with a similarly significant amount of deliberation and collaboration with affected communities and interested parties. That collaboration has not yet occurred.**

We would like to highlight a few unresolved policy questions which are key to understanding whether body cameras will properly function to ensure accountability and transparency:

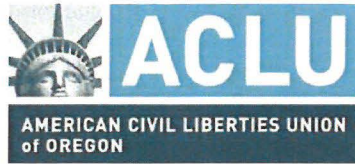
- Will officers be allowed to view footage of an incident before making a statement or writing an initial report? **The ACLU strongly believes officers should not review footage before making a statement or report.**

- Will there be meaningful consequences, including disciplinary action, for tampering with body cameras and footage or intentional failure to adhere to policy? **Already, there are instances in other states of officer deliberately using verbal commands to create a false interpretation of video captured on their body camera. A policy must clearly identify this type of action as a prohibited tampering.**
- HB 2571 set out the general rules for when a camera must be on and off, but local jurisdictions are allowed to create some exceptions. **What will these exceptions be?**
- In addition to the requirement that officers notify individuals that they are being recorded, will officers also be required to wear something on their uniforms that visibly indicates they are recording?
- How does the city intend to comply with the release of body camera footage as public records? **Body cameras will fail as an accountability and transparency tool if policy in this area is too burdensome for the public to access.**

We understand that there has been significant investment of time and energy by many members of city government and the police bureau to move toward the acquisition of body cameras. Because of this, we also understand that funding of body cameras may move forward, either this budget cycle or the next.

**Even if you approve of funding now, we strongly urge that the police bureau be prohibited from purchasing the body cameras prior to the release and vetting of a body camera policy. We also urge each of you to strongly commit to engagement in a meaningful process of crafting a body camera policy with accountability, transparency, and privacy as its central principles. ACLU of Oregon also requests direct involvement the policy vetting process.**

I am sorry that I am unable to appear in person today, but I hope that these comments will be helpful in your deliberations. Please feel free to contact me with any questions, comments or concerns.



188037

## Recommendations for Oregon Law Enforcement Body Camera Policies

### Transparency and public input

As with any surveillance technology, department policies governing body cameras and the resulting video should be developed through an open process with public input. Draft policies should be released with an *opportunity for public comment on the specific proposed provisions* included in the draft policy. Final policies should be posted online on the department's website, so that people who have encounters with police know what to expect, how long they have to file a complaint, and how to request access to footage.

### Defining when the camera must be on and off

Oregon law now requires policies to require “that a camera worn upon a law enforcement officer’s person be set to record continuously, beginning when the officer develops reasonable suspicion or probable cause to believe that a crime or violation has occurred, is occurring or will occur and the law enforcement officer begins to make contact with the person suspected of committing the offense. The policies and procedures must also require that the camera may subsequently cease recording no sooner than the termination of the officer’s participation in the contact.” Exceptions are allowed if based on:

- (i) Reasonable privacy concerns
- (ii) Exigent circumstances
- (iii) Safety of law enforcement or other persons

### General rule for continuous recording

The statutorily required continuous recording requirement sets a floor—rather than a ceiling—on when recordings must occur. This means that police departments will need to determine whether there are additional circumstances where cameras must be set to record.

In order to capture all situations where misconduct may occur and truly allow body cameras to act as an effective tool for accountability, policies should require continuous recording *when an officer responds to a call for service or at the initiation of any other law enforcement or investigative encounter between a police officer and a member of the public.*

Such a requirement would include more than the statutory minimum, as it would also cover stops, frisks, searches, arrests, consensual interviews and searches, enforcement actions of all kinds, and any encounter that becomes hostile or confrontational.

### Clarity of exceptions to the general rule

Body cameras don't advance accountability if police can simply turn them off when they don't want to be recorded. Therefore, exceptions to a policy's recording requirement need to be spelled out with sufficient clarity and specificity to eliminate officer discretion.

### Reasonable privacy exception

Continuous recording, while ideal from an accountability perspective, raises many thorny privacy issues. The balance that needs to be struck is to ensure that officers can't manipulate the video record, while also placing reasonable limits on recording in order to protect privacy.

Along these lines, privacy concerns warrant an exception to the recording requirement if person gives *clear on-camera permission* to the officer to stop recording and the encounter is with (a) crime victims (especially victims of rape, abuse, and other sensitive crimes); and (b) witnesses who are concerned about retaliation if seen cooperating with police.

Departments should also adopt a policy under which officers ask residents whether they wish for a camera to be turned off before they enter a home during non-exigent circumstances. Civilian requests for cameras to be turned off must themselves be recorded to document such requests. Cameras should never be turned off in SWAT raids and similar police actions, because of the high degree of likelihood for use of force.

### Exigent circumstances exception

Officers should be given clear guidance about what constitutes an exigency, so that this exception is not abused by officers who simply do not want to record in a certain situation. For example, if all that needs to happen is a simple press of the button to begin recording, exigent circumstances should be strictly limited. On the other hand, exigent circumstances may indeed exist if a camera runs out of batteries, and the officer doesn't have time to replace them before engaging in a dangerous and immediate situation. Another example of exigent circumstances may occur when an officer is not wearing their entire uniform and is suddenly called to an emergency situation.

### Safety exception

It is unclear how requiring recording could negatively impact public and officer safety, so long as a clear reasonable privacy and exigent circumstances exceptions are included in the policy.

### **Prohibited surveillance and use of footage**

Under Oregon law, body cameras cannot be used for surveillance of the public, especially gathering of intelligence information based on First Amendment protected speech, associations, or religion. See ORS 181A.250 (previously codified as ORS 181.575).

Review and use of recordings should be allowed only in connection with internal and external investigations of misconduct, when police have reasonable suspicion that a recording contains evidence of a crime, or as part of a randomized audit. Otherwise, there is no reason that stored footage should be reviewed by a human being before its retention period ends and it is permanently deleted.

### **Officer review of footage**

*Officers should not be permitted to view video footage before making a statement or writing an initial report, particularly when the officer was involved in a critical incident like a shooting or is facing charges of misconduct. Similarly, the officer should not be allowed to speak to anyone who viewed footage prior to making a statement or writing a report.*

Just as police do not show video evidence to other subjects or witnesses before taking their statements, officers should be required to first make statements based on memory. Officers should then watch the video *after* their initial statement and have the chance to offer more information and context. This will provide the fullest picture of what happened without tainting officers' initial recollection. This will also eliminate the possibility that officers could use their review of body camera footage to cover up misconduct and not be held properly accountable.

### **Uniformed officers**

Body cameras should generally be limited to uniformed police officers, so people know what to expect and to ensure that recording is obvious and not surreptitious. Exceptions should be made for non-uniformed officers involved in SWAT raids or in other planned enforcement actions or uses of force.

### **Notice**

Statute requires that an officer notify individuals that they are being recorded if:

- (i) The officer has an opportunity to announce at the beginning of the interaction that the conversation is being obtained; and
- (ii) The announcement can be accomplished without causing jeopardy to the officer or any other person and without unreasonably impairing a criminal investigation.

To ensure individuals know they are being recorded, even when an officer does not have an opportunity to announce, departments should consider requiring officers to wear an easily visible pin saying "body camera in operation" or words to that effect. Cameras might also have blinking red lights when they record, as is standard on most other cameras.



### Randomized audits

Body camera footage should be subject to regular, randomized review to identify problems with training or officer conduct before they result in complaints or incidents.

### Video integrity

The public can only trust video evidence if there is no doubt officers cannot alter or delete the video they record. The devices and storage system must not allow officers to edit or delete video during their shift, during the upload process, or after footage has been uploaded to a secure server. Secure third-party storage should be considered, as it may be an effective way to limit the potential for tampering with video footage.

In addition, all access to video records should be automatically recorded with immutable audit logs. Even after routine deletion, audit logs should be retained. It is also important for systems to be architected to ensure that video is only accessed when permitted and that rogue copies cannot be made.

### Enforcing compliance

Departments must enforce recording policies by auditing officers' compliance and imposing meaningful consequences for failure to activate cameras or tampering with equipment. Meaningful consequences should include direct disciplinary action against the individual officer for tampering or intentional failure to adhere to policy. Mandatory training may also be appropriate whenever a policy is not followed.

### Requests for footage

Under Oregon law, body camera footage is subject to public records requests when "the public interest requires disclosure." *This provision was negotiated with the understanding that certain types of recordings are always in the public interest to disclose.* For example, it is in the public interest to disclose footage:

- (i) Involving a use of force;
- (ii) That leads to detention or arrest;
- (iii) Where either a formal or informal complaint has been registered;
- (iv) To a person whose image or voice is in the recording;
- (v) To the personal representative of the subject if they are deceased or unable to provide consent due to age or incapacity;
- (vi) To a third party if the subject consents; and
- (vii) To criminal defense lawyers seeking relevant evidence.

Items (i) through (iii) are included because these are recordings for which there is the highest likelihood of misconduct, and thus the ones where public oversight is most needed. Although privacy concerns are potentially implicated in such situations, the need for oversight generally outweighs the privacy interests at stake, and facial blurring may also mitigate privacy concerns.

**Albina Ministerial Alliance Coalition for Justice and Police Reform  
c/o Dr. T Allen Bethel Maranatha Church 503-288-7241**

188037

The Albina Ministerial Alliance Coalition for Justice and Police Reform (AMAC), a long standing group of individuals and organizations has and continues to work towards those ends -reform and justice. We do believe that they are both reachable and sustainable. However, to reach and sustain these goals, all parties, Citizens and those we employ - city elected officials and law enforcement personnel must commit to transparency, fairness, equity and a willingness to do so.

In light of the pending Portland Police Association's proposed contract for City Council vote, we issue the following statements:

The AMAC has for years called for the elimination of the "48 Hour Rule." The AMAC continues to advocate for swift, thorough and comprehensive investigations into any alleged misconduct of officers. We affirm and support the elimination of the "48 Hour Rule" and the prohibition on reviewing body camera footage for deadly force incidents. However, we oppose any officers having the ability to delay or review footage on excessive force and other serious incidents. The footage is to establish the facts and not help any officer to delay or view to get their story correct.

Secondly, we call on our duly elected Mayor and Police Commissioner along with all Council members to uphold the laws, policies and enforcement thereof in all matters and dutifully carry out the what they pledged and were sworn in to do. We oppose The PPA beIng allowed to file a grievance about issues on reviewing footage in the body camera policy-- City Council sets city policy and the police follow that policy. Therefore, Council, step up and take your lawful place as government and policy makers and not allow your authority of policy making be relegated to those who are accountable to you as employees of the citizens of the City of Portland, who employ you.

Finally, at a time when lack of transparency is causing uprisings in other cities, the City should be striving for more transparency with the public, seeking engagement and the rebuilding of trust. While it is good that the Chief will have the discretion to release footage in some instances, we need stronger provisions including changing the state law requiring that all faces be blurred out. A purpose of said footage is to know who was involved, what were the actions and identity, not a redacted face - nothing to hide - give us transparency for justice and reform.

The AMAC continues to work towards justice and police reform, commending the actions taken to move forward and yet a herald for those things that still remain, remember this is a marathon and not a sprint, we are running this marathon to the finish line.

Rev. Dr. T. Allen Bethel, Co-Chair AMAC

----- Forwarded message -----

Date: Wed, 17 Aug 2016 13:49:35 From: Portland Copwatch <copwatch@portlandcopwatch.org>  
 To: Portland City Council -- Commissioner Amanda Fritz <amanda@portlandoregon.gov>, Commissioner Dan Saltzman <dan@portlandoregon.gov>, Commissioner Nick Fish <Nick@portlandoregon.gov>, Commissioner Steve Novick <novick@portlandoregon.gov>, Mayor Charlie Hales <mayorhales@portlandoregon.gov>  
 Cc: Mayor-Elect Ted Wheeler and the public <copwatch@portlandcopwatch.org>, News Media  
 Subject: Proposals Regarding Portland Police Association Contract

From: Portland Copwatch, NAACP Portland Branch, and the Albina Ministerial Alliance Coalition for Justice and Police Reform

To: Mayor Charlie Hales, Portland City Council, and Mayor-Elect Ted Wheeler

## **PROPOSALS REGARDING PORTLAND POLICE ASSOCIATION CONTRACT**

1. The City must push to make public all bargaining sessions with the Portland Police Association (PPA). Such public sessions were held in 2010 and 2013.

2. Changes to the contract that are about public policy and not workplace safety or other mandatory bargainable issues shall not be included in the contract. This includes, but is not limited to, setting policy on body cameras. In that regard, there shall be no viewing of body camera footage by officers before they write their police reports. Body cameras are being promised to the community as a way to hold officers accountable.

3. Changes made to the contract to improve community-police relations and only relating to public policy, such as the ones outlined below, shall not be bargained in exchange for financial gain or incentive by the PPA or its members.

4. Make the following changes to the contract:

a ) modify the binding arbitration clause so that terminations based on improper police action that involved deadly force and/or a death in custody goes instead to the Civil Service Board and the courts rather than an arbitrator. Community members' desire is to see officers who are fired to stay fired, and are concerned that arbitrators are not making neutral decisions.

[Article 22.5 states that an arbitrator's ruling will be final and binding.]

b) end the 48 hour rule.

[Article 61.2.1.3 reads: "Whenever delay in conducting the interview will not jeopardize the successful accomplishment of the investigation or when criminal culpability is not at issue, advance notice shall be given the officer not less than 48 hours before the initial interview commences or written reports are required from the officer."]

c) allow compelled testimony by a civilian agency investigating misconduct claims.

[Article 61.2.2 states interviews will take place at a Portland Police Station facility (though there are provisions to do them elsewhere, 61.2.2.2) and that the interviewer is implied to be a sworn officer as the member "shall be informed of the name, rank, and command of the officer in charge of the investigation" (61.2.2.4).]

d) allow IPR or similar agency to have jurisdiction over deadly force cases.

[Article 62.1.3 states IPR has "no authority or responsibility" on a series of other articles, which are:

- 59: Performance evaluations
- 61.6 Personnel file
- 61.7 Deadly force incidents
- 61.8 Criminal investigations]

e) require testing for drugs/alcohol/steroids after deadly force / excessive force incidents based on probable cause, due to how unusual it is for officers to apply deadly force. Deadly force is only used once in every 80,000-100,000 calls for service. Federal regulations require truck drivers who kill or injure people in accidents to be tested for alcohol/drugs. Police officers using deadly force should be subjected to the same scrutiny.

[Article 61.10 allows for random drug testing.]

We look forward to your response to these concerns.

--Portland Copwatch  
 --NAACP Portland Branch  
 --Albina Ministerial Alliance Coalition for Justice and Police Reform

**PROPOSED POLICIES FOR PORTLAND POLICE AROUND BODY CAMERAS**

from the Albina Ministerial Alliance Coalition for Justice and Police Reform  
(9/17/15)

- 1--The community has to be involved in setting any rules if the Bureau decides to get cameras.
- 2--A third party Oregon company subject to Oregon law who's not the manufacturer nor any law enforcement entity should store the footage, to ensure access/storage and prevent tampering.
- 3--If civilians who are in the video ok its being released, the footage should be released. To the extent possible under state law, the images should not be blurred out of those who have given release permission.
- 4--Policy should require officers to turn cameras on before interacting with any community member. There must be increasing, structured disciplinary measures depending on the seriousness of violations, including failing to record interactions or turning cameras off during contact.
- 5--Officers should not be allowed to review the footage before giving statements/writing reports so that they don't use the footage to change their statements.
- 6--Police must inform community members that they are being recorded, and inform them of their rights to remain silent and not make incriminating statements or walk away as appropriate.
- 7--Police cannot use footage to gather data on people's lawful activity in violation of state law (181.575).
- 8--PPB shall not tie the video to facial recognition software to pull up information on people when they have no suspicion of criminal conduct.
- 9--Footage should be used to hold police accountable for officer misconduct/ criminal activity and to improve training and policy.
- 10--Footage should not be used to prosecute community members for minor infractions; and footage should not be used to retroactively go back and find minor crimes to prosecute.

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Wednesday, September 28, 2016 3:28 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Please do not approve proposed labor agreement with PPA

**Mustafa Washington**

Constituent Services Specialist  
 Office Of Mayor Charlie Hales  
 P: 503-823-4120  
 mustafa.washington@portlandoregon.gov

**From:** pdx97217@gmail.com [mailto:pdx97217@gmail.com] **On Behalf Of** Mental Health Association  
**Sent:** Wednesday, September 28, 2016 1:13 PM  
**To:** Commissioner Fish <nick@portlandoregon.gov>; Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Fritz, Amanda <Amanda.Fritz@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>  
**Cc:** Kanwit, Anna <Anna.Kanwit@portlandoregon.gov>; Hull Caballero, Mary <Mary.HullCaballero@portlandoregon.gov>; Finn, Brendan <Brendan.Finn@portlandoregon.gov>; Warner, Chris <Chris.Warner@portlandoregon.gov>; Crail, Tim <Tim.Crail@portlandoregon.gov>; Pierce, Tera <Tera.Pierce@portlandoregon.gov>; Schmanski, Sonia <Sonia.Schmanski@portlandoregon.gov>  
**Subject:** Please do not approve proposed labor agreement with PPA

Commissioners,

We write today at the urging of our fellow social justice advocates asking you to not approve the proposed labor agreement between the City and the Portland Police Association.

We appreciate Mayor Hales' zeal to eliminate the 48-hour rule, but there is so much more to do, so the time is not ripe to pursue or make an agreement.

We appreciate a proposed increase in pay for officers. We want positions at the PPB to be both attractive and comfortable for recruits and experienced officers. But approving this increase now creates an unexpected out-of-cycle windfall, something like a payoff to achieve a "legacy" vote for a mayor who has been ineffective to date as police commissioner.

There are many additional and important items to negotiate. For example Article 21 of the agreement still contains a significant flaw which injured – perhaps crippled – our past three mayor / police commissioners.

The police commissioner should be able to terminate an officer for cause; not only for just cause.

The difference of one word is complex and controversial, but determines whether the agreement suits the interest of the people or submits to unreasonable standards and delay. We should not be bound by rules which injure the mayor, injure the community, and perhaps threaten our civility. We're not negotiating life and death here – just whether we want someone to continue to work for us or not.

We appreciate labor interests: termination for cause should be reserved for dire circumstance – but that power must be in the hands of the people through their elected representatives. Our mayor should have the power to decide who works for our city, and who does not.

It's premature to negotiate this agreement, and premature to approve of it.  
We ask you to not approve the proposed labor agreement between the City and the Portland Police Association.

Jason Renaud and Jenny Westberg  
On behalf of the Mental Health Association of Portland  
[www.mentalhealthportland.org](http://www.mentalhealthportland.org)

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Wednesday, September 28, 2016 3:26 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Accountability recommendations from COAB  
**Attachments:** AS recs approved .pdf

**Mustafa Washington**

Constituent Services Specialist  
Office Of Mayor Charlie Hales  
P: 503-823-4120  
mustafa.washington@portlandoregon.gov

**From:** tomsteenson@comcast.net [mailto:tomsteenson@comcast.net]  
**Sent:** Wednesday, September 28, 2016 1:41 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>  
**Subject:** Accountability recommendations from COAB

Attached are the recommendations which I believe it is likely that the full COAB will approve when the DOJ and the City allow the COAB to meet again.

Please add the recommendations to the record as a supplement to my testimony earlier today asking for a delay in any ratification of the proposed contract with the Portland Police Association.

Thank you for your consideration in this regard.

Tom Steenson  
COAB Member  
Chair - Data Systems, Use of Force, Compliance Subcommittee

Accountability Subcommittee recommendations regarding the complaint system, the operation of the Independent Police Review Division and Citizen Review Committee, and a new position of Police Auditor

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The AS developed and approved recommendations to streamline the complaint system by moving all community complaints to the purview of the Independent Police Review Division and Citizen Review Committee, eliminating unnecessary and duplicative parts of the current process, and adding the new position of Police Auditor to oversee the proper functioning of the system. The recommendations to accomplish these changes and some related recommendations to further the transparency of the accountability systems related to the operation of the Portland Police Bureau (PPB) are set forth in detail below.

All of the following recommendations were approved by the Accountability Subcommittee (AS) and forwarded to the full COAB with the exception of #s 29 and 30. Those two recommendations are being reconsidered by the AS.

1. The AS recommends streamlining the complaint system by moving all community complaints to the purview of the IPR and CRC, eliminating unnecessary and duplicative parts of the current process, and adding the new position of Police Auditor to oversee the proper functioning of the system.

**a. Overall Operation of the IPR and CRC**

2. The Director of the IPR shall be selected by the CRC in conjunction with the Portland Auditor. When evaluating the performance of the Director of the IPR, the Portland Auditor shall consult with and seek the input of the CRC.
3. The IPR should have an annual budget and administrative staff adequate enough to allow it to effectively perform its responsibilities.
4. The IPR should have a sufficient number of full-time complaint investigators to ensure the timely investigation of complaints against members of the PPB involving the public.
5. When the Police Auditor (PA) (see Recommendations 24-36, below) determines that the Portland's City Attorney Office may have a conflict in advising or representing the IPR and/or CRC, the IPR and/or CRC should have private, outside legal counsel separate from the Portland City Attorney's Office.
6. The IPR will provide comprehensive information to the PA for use in annual reports.
7. The current role of the IPR in auditing and reviewing the overall operation of the PPB should be reduced to the extent the position of PA is created, becomes fully operational and assumes those responsibilities of the IPR.



8. The CRC should be expanded to at least 15 members.

**b. Complaints Involving Members of the Public and Investigation Procedures for Those Complaints**

IPR's Role:

9. The IPR should have jurisdiction and authority over the administrative investigation of all complaints of misconduct by a PPB member involving a member of the public (community complaints), whether made by a community member, a PPB member, or the IPR Director. There should be no exception for complaints related to officer involved shootings or in-custody deaths. The PPB's Internal Affairs Division should no longer conduct administrative investigations of community complaints.

10. The IPR should take steps to significantly reduce the number of complaints which it dismisses without an investigation. To assist the IPR in doing that, the PA should audit the IPR's dismissal of complaints and make recommendations for improving the dismissal rate.

11. The IPR should conduct on-scene administrative investigations.

12. During its investigations, the IPR should have the authority to compel the testimony of a sworn PPB member.

13. The IPR should accept and investigate anonymous complaints of misconduct by a PPB member.

14. Once a community complaint has been received, the IPR should immediately assign an advocate to assist the complainant in navigating the IPR's investigation process.

15. The IPR should have the authority to recommend all types and levels of discipline allowed by law and as set forth in the PPB's Discipline Guide.

16. The IPR should operate a 24 hour tip line for PPB members to report misconduct of a fellow PPB member.

CRC's Role:

17. Following the IPR's investigation and with input from the Commander of the PPB member who was investigated, 5 members of the CRC will conduct a hearing and make findings on the disposition of individual community complaints. The community member and his/her advocate, as well as the involved officer, will appear at this hearing. This hearing will be open to the

public and the media. Police accountability is in the public interest, which under state law means certain personnel matters may be handled openly.

18. The CRC should also have authority to hear appeals by community members (complainants-appellants) of all complaints of misconduct investigated by the IPR, including those involving officer involved shootings and in-custody deaths. The CRC members who made the findings will be recused from participating the appeal process.

19. Complainants shall have 30 days to file an appeal.

20. Community members should have the option to retain the same advocate from recommendation #14 or to have the IPR assign a new advocate to assist them in formulating an appeal, to navigate the appeal process, and to appear with them at the appeal hearing.

21. The CRC should have the authority to recommend a reformulation of the allegations and issues being considered at either the initial or appeal stage if the IPR's categorization doesn't properly match the complainant's concern to PPB policies.

22. The CRC should have the authority to compel the appearance and testimony of a PPB member during an appeal.

23. The definition of "supported by the evidence" and the standard of review should be changed to "preponderance of the evidence."

24. The CRC should have the authority to recommend all types and levels of discipline allowed by law and as set forth in the PPB's Discipline Guide.

25. The PPB's ability to request a conference hearing with the CRC should be eliminated.

26. The time which the CRC has to complete the appeal process should be expanded from the current 21 days to a more reasonable period consistent with a recommendation to be made by the PA. Delays caused by further investigation by the IPR or refusal by the PPB to accept recommendations should not count against the CRC as part of the appeal timeline.

#### PRB's Role:

27. The Police Review Board (PRB) should no longer review community complaints, whether made by a community member, a PPB member, or the IPR Director. This recommendation is not intended to impact the PPB's use of the PRB to review complaints that do not involve a member of the public.

**c. Policy-related Issues Pertaining to Hiring and Firing of Officers, Policy Making, Training, Equipment, Supervision, Early Intervention, Investigation of Misconduct Complaints, Discipline, Allocation of Police Resources, and Other Issues of Concern to the Community and Other Interested Stakeholders**

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28. The position of Police Auditor (PA) should be created. The PA should be independent and separate from the PPB.
29. The PA should be selected by the CRC in conjunction with the Portland City Auditor. The PA may be removed from office by the Portland City Auditor and only for cause and through a clearly defined removal process.
30. The Portland City Auditor should develop a list of the qualifications necessary for the PA. To avoid the appearance of possible bias, the PA should not be a former police officer.
31. The PA should have an annual budget and adequate staffing to fulfill its responsibilities.
32. The PA should have the authority and responsibility under the direction of the CRC to carry out audits and reviews and make findings and recommendations regarding policies and practices related to hiring and firing of PPB members, policy making, training, equipment, supervision, early intervention, investigation of misconduct complaints, discipline, firing, allocation of police resources, the operation of the IPR, and other issues of concern to the community and other interested stakeholders regarding the PPB. In doing so, the PA should have unfettered access to PPB data, records, reports, materials, and personnel, like the IPR is currently authorized.
33. In conjunction with the PA, the CRC should be responsible for (a) assessing whether the IPR is effectively performing its duties, (b) handling appeals regarding community complaints about PPB misconduct, (c) making recommendations on policies and practices related to hiring and firing of PPB members, policy making, training, equipment, supervision, early intervention, investigation of misconduct complaints, discipline, and allocation of police resources, (d) and addressing issues of concern to the community and other interested stakeholders regarding the PPB. In addition to hearing appeals, the CRC should meet at least quarterly in public with the Commissioner in Charge of the PPB and the Chief of Police and should conduct at least three public forums annually for public comment. The CRC should also make an annual comprehensive report to the public, Mayor, Commissioner in Charge of the PPB, City Council, Police Chief and PPB and furnish additional public reports as necessary.
34. The PA should have the authority to examine individual incidents and complaints and raise concerns about the quality and integrity of an investigation generally as well as the quality and integrity of the findings.
35. The PA should obtain input from members of the public to aid its work.

36. The PA should have the authority to examine information and data in the aggregate and identify patterns, determine whether the patterns reflect systemic problems, and, if so, make findings and recommendations on how to address them.
37. The PA should investigate the use of mediation to resolve complaints investigated by the IPR to ensure it is only used in appropriate cases and not in cases involving the use of force, bias and other significant matters of police misconduct.
38. The PA should investigate the time which the CRC needs to complete the appeal process and make a finding and recommendation to the CRC as to what a reasonable period would be.
39. The PA will make an annual comprehensive report to the public, Mayor, Commissioner in Charge of the PPB, City Council, Police Chief and PPB and may furnish additional public reports as necessary. The annual report will include information previously reported by the IPR, with a summary section but also complete with tables, data and analysis similar to the IPR's pre-2009 reports.
40. When the PA determines that Portland's City Attorney Office may have a conflict in advising or representing the PA, the PA should have private, outside legal counsel separate from the Portland City Attorney's Office.

**d. Other Recommendations**

41. The range of possible findings for the resolution of a complaint investigated by the IPR should be restored to "Unfounded, Insufficient Evidence, Sustained, and Exonerated."
42. The Portland City Council will retain its authority to make the last determination regarding a community member-appellant's appeal of a complaint. The Council should be authorized to consider new evidence.
43. In its reporting of officer involved shootings and in-custody deaths, the PPB should include data for all such incidents regardless of what the Medical Examiner may have determined was the cause of death.
44. The PPB should list all disciplinary actions on its website, including a brief description of the violation(s) of policy or reason(s) for the discipline, officer's name, number of years on the force, gender, and race. The PPB should also include the age, gender, and race of the community member(s) subjected to the conduct for which the officer was disciplined.
45. There should be an explicit PPB policy stating that PPB members have a duty to report misconduct by another PPB member and to ensure that the complaint, if it relates to misconduct involving a public member, is made to the IPR.

46. Meetings held by the IPR, CRC (including appeals by community members), Training Advisory Council, and Behavioral Health Unit Advisory Committee shall be open to the general public.

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Wednesday, September 28, 2016 3:23 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: PPA Contract\_City Council Testimony  
**Attachments:** PPA Contract\_City Council Testimony\_Ben Earle\_9-28-16.pdf; Portland Copwatch Testimony Update\_Reform proposals left out of previous PPA contracts.pdf

**Mustafa Washington**

Constituent Services Specialist  
Office Of Mayor Charlie Hales  
P: 503-823-4120  
mustafa.washington@portlandoregon.gov

**From:** Ben Earle [mailto:ben.earle@comcast.net]  
**Sent:** Wednesday, September 28, 2016 9:51 AM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>  
**Subject:** PPA Contract\_City Council Testimony

My testimony to the City Council regarding the PPA Contract is attached.

Thank you,

Ben

Ben Earle  
5524 NE 30<sup>th</sup> Ave.  
Portland, OR 97211  
503-680-8322  
[ben.earle@comcast.net](mailto:ben.earle@comcast.net)

**Ben Earle**

5524 NE 30<sup>th</sup> Ave.  
Portland, OR 97211

503-680-8322  
ben.earle@comcast.net

September 27, 2016

Mayor Charlie Hales  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Steve Novick  
Commissioner Dan Saltzman  
Auditor Mary Hull Caballero

Dear City Leaders:

I am writing to urge you to defer approval of the Portland Police Association contract that was apparently negotiated at the direction of Mayor Hales without benefit of proper and sufficient public review and input and is being unnecessarily and unfairly rushed for consideration before Mayor-elect Wheeler takes office in January, which is a full six months before the current contract expires.

This proposed contract does not in any way provide for the type of specific remedies for community engagement with the police and essential changes in policing practices that were called for by the 2012 settlement with the US Department of Justice. Not only does it reflect a narrow focus on money rather than vision, it does not reflect the will, voice, or interests of the community the police are charged with both protecting and serving.

And though this deal may appear to cost the City significantly less than the previous one, ostensibly resulting in important savings that are desirable, as the Sept. 21 Portland Mercury article "Hall Monitor – The True Price of Hales' Police Deal" indicates, there are a number of critical questions about exactly how the deal's costs will be apportioned and paid for over time that appear to unfairly and inequitably benefit both retiring police officers and those already retired. Not only does this arrangement undermine both the intent and effect of improving the Police Bureau's performance and relations with the community, it threatens to dramatically deepen the City's budget difficulties at a time when it is already struggling to fund many pressing needs, from paying Parks employees to covering the \$3.5 million committed to homeless services. Worse, it would be the public picking up the police pension tab through inevitable property tax increases.

Allowing this precipitous approval to proceed at this time is both unfair and unwise to lock the City in for another six years of the same "old school" reform package that resulted from the last contract talks.

There are many things wrong with this contract that need full public hearing and fixing before it should be allowed to proceed:

1. It allows retired officers to be hired back for six years at the top of their paygrade but provides no criteria to determine if they are the type of officers that should be retained on the force. This situation would create "a revolving door of officers" retiring to get the best possible retirement plan and then rejoining the force at their top pay scale whether or not they have proven experience in de-escalation and building positive community relations.
  2. It ensures the most expensive officers are assigned to overtime first, rather than the "right level" officers needed based on the situation. This would allow the most highly paid officers the right to as much overtime as they want at the expense of other equally, or even more, qualified officers for whom overtime might make a difference in whether they stay or move on.
  3. The body-cam legislation the Mayor negotiated with the Union reneges on the promise for the public to have an opportunity to provide input. This new policy provides no accountability. As proposed, police would review video prior to writing their written reports which, rather than removing the 48 hours delay, in effect extends it to an unspecified period of time after an incident (with the exception of those involving deadly force). Why would police need to see video in advance unless they need to make their report match what's on the video? With the public having no access to the video during this time, this would create a situation actually worse than the current delay period that has already been agreed to be unacceptable.
-

4. Changes that are about public policy and not workplace safety or other mandatory bargainable issues should not be included in the contract. And changes that improve community – police relations and only relating to public policy should not be bargained in exchange for the PPA members' financial gain or incentive. I refer you to Portland Copwatch's testimony regarding "Reform proposals left out of previous PPA contracts" for specific recommended clauses to include.

Beyond the specifics of the PPA contract, with the unacceptable decommissioning of the Human Rights Commission and Community Police Relations Committee, and not allowed convening of the federally mandated Oversight Advisory Board City, it is incumbent on the Council to re-establish truly effective public oversight entities who are transparently, fairly, and equitable formed and led with proper funding and reasonable authority to be heard and act.

In summary, it is Mayor-elect Wheeler and the full newly elected City Council members slated to take office in January 2017 who should be accountable for the new PPA contract. It is especially essential at this time of both heightened distrust in the police by our community – and nation-wide – and the critical challenges successfully managing the City's budgets in an era of stressed funding source, that the Council takes proactive steps to ensure that a proper and complete review of this contract occurs. The Mayor-Elect and the public deserve the opportunity to weigh-in under new leadership regarding the terms of a new contract. We shouldn't have to wait 4 more years to have an impact on the next contract when it hasn't even expired yet.

Sincerely,



Ben Earle



**Portland Copwatch is updating testimony. Reform proposals left out of previous PPA contracts:**

1. The City must push to make public all bargaining sessions with the Portland Police Association (PPA). Such public sessions were held in 2010 and 2013.
2. Changes to the contract that are about public policy and not workplace safety or other mandatory bargainable issues shall not be included in the contract. This includes, but is not limited to, setting policy on body cameras. In that regard, there shall be no viewing of body camera footage by officers before they write their police reports. Body cameras are being promised to the community as a way to hold officers accountable.
3. Changes made to the contract to improve community-police relations and only relating to public policy, such as the ones outlined below, shall not be bargained in exchange for financial gain or incentive by the PPA or its members.
4. Make the following changes to the contract:

a ) modify the binding arbitration clause so that terminations based on improper police action that involved deadly force and/or a death in custody goes instead to the Civil Service Board and the courts rather than an arbitrator. Community members' desire is to see officers who are fired to stay fired, and are concerned that arbitrators are not making neutral decisions.

b) end the 48 hour rule.

c) allow compelled testimony by a civilian agency investigating misconduct claims.

[Article 61.2.2 states interviews will take place at a Portland Police Station facility (though there are provisions to do them elsewhere, 61.2.2.2) and that the interviewer is implied to be a sworn officer as the member "shall be informed of the name, rank, and command of the officer in charge of the investigation" (61.2.2.4).]

d) allow IPR or similar agency to have jurisdiction over deadly force cases.

[Article 62.1.3 states IPR has "no authority or responsibility" on a series of other articles, which are:

59: Performance evaluations

61.6 Personnel file

61.7 Deadly force incidents

61.8 Criminal investigations]

e) require testing for drugs/alcohol/steroids after deadly force / excessive force incidents based on probable cause, due to how unusual it is for officers to apply deadly force. Deadly force is only used once in every 80,000-100,000 calls for service. Federal regulations require truck drivers who kill or injure people in accidents to be tested for alcohol/drugs. Police officers using deadly force should be subjected to the same scrutiny.

[Article 61.10 allows for random drug testing.]

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Wednesday, September 28, 2016 3:00 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Portland Police Association Contract

**Mustafa Washington**

Constituent Services Specialist  
Office Of Mayor Charlie Hales  
P: 503-823-4120  
mustafa.washington@portlandoregon.gov

**From:** Philip Cacka [mailto:philipcacka@gmail.com]  
**Sent:** Tuesday, September 27, 2016 6:08 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>  
**Subject:** Portland Police Association Contract

Hello Mr. Hales,

As a citizen who lives in Portland please DO NOT approve the new PPA contract. I have been going to COAB meetings and have been involved in various groups interested in having a responsive and responsible police bureau here in Portland.

From my experience many of these groups and individuals have been trying make changes to build trust between the community and the Portland Police Bureau but have been told that they can't make changes because of the current PPA contract is still in effect. They have been told to wait and iron it out with the PPA during the contract negotiations. Now, apparently, the negotiations have taken place behind closed doors and don't address many of the concerns and criticisms of the old contract.

Please slow down the process and engage the community and allow time for debate and revisions to the contract. I think the people will appreciate transparency and an open dialog rather than rushing to lock-in a contract before the old one has expired.

Sincerely,

Philip Cacka  
971-207-3284

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Wednesday, September 28, 2016 9:56 AM  
**To:** Council Clerk – Testimony  
**Subject:** FW: LWV comments: Contract - Portland Police Assn. + City of Portland  
**Attachments:** LWV PPA.contract 9-16.pdf

Mustafa Washington  
Constituent Services Specialist  
Office Of Mayor Charlie Hales  
P: 503-823-4120  
mustafa.washington@portlandoregon.gov

-----Original Message-----

**From:** Debbie Aiona [mailto:mdjaiona@aracnet.com]  
**Sent:** Tuesday, September 27, 2016 8:53 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregongov>  
**Cc:** Moore-Love, Karla <Karla.Moore-Love@portlandoregon.gov>  
**Subject:** LWV comments: Contract - Portland Police Assn. + City of Portland

Dear Mayor and Commissioners:

Please find attached a letter from the League of Women Voters of Portland regarding Wednesday's agenda item on the police contract.

Thank you for considering our views.

Sincerely,

Debbie Aiona  
League of Women Voters of Portland



## The League of Women Voters of Portland

618 NW Glisan St., Suite 303, Portland, OR 97209

(503) 228-1675 • info@lwvpdx.org • www.lwvpdx.org

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President

*Debbie Kaye*  
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*Peggy Bengry*  
2nd VP

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*Linda Robolt*  
Voter Registration

*Kris Hudson*  
Budget

*Minda Seibert*  
Social Media

**DATE:** September 27, 2016

**TO:** Mayor Charlie Hales, Commissioners Fish, Fritz, Novick and Saltzman

**FROM:** League of Women Voter of Portland  
Margaret Noel, vice president  
Debbie Aiona, Action Committee chair

**RE:** **Collective Bargaining Agreement Between  
City of Portland and Portland Police Association**

The League of Women Voters of Portland believes that action on the Portland Police Association contract is premature and urges you to take a step back and consult with the public and the incoming police commissioner before making any decisions. The contract will be in effect through 2020 with a new mayor overseeing it. Mayor-elect Wheeler and the broader community should be involved in the process.

The League has a long-standing interest in the city's police accountability system. There are several issues related to its functions that should be considered for inclusion in the new contract:

- Giving Independent Police Review (IPR) Division the power to compel officer testimony when investigating misconduct cases;
- Granting IPR the authority to conduct independent investigations of shootings and deaths in custody; and
- Allowing complainants to appeal police shooting and in-custody death cases to the Citizen Review Committee.

At a recent Council hearing the League recommended formation of a task force to discuss and make recommendations on improvements to the oversight system. Issues relating to the contract could be folded into such a process. The contract should be consistent with community priorities. A well-designed task force process could aid in identifying those priorities.

Thank you for considering our recommendations.



September 28, 2016

Mayor Hales  
Commissioner Saltzman  
Commissioner Fritz  
Commissioner Fish  
Commissioner Novick  
Auditor Caballero

Re: Agenda Item 1065 for Portland City Council Meeting, September 28, 2015  
Ratify a successor collective bargaining agreement between the City and the Portland Police Association relating to the terms and conditions of employment of represented employees in the Portland Police Association bargaining unit

The Oregon Chapter of the Sierra Club stands in solidarity with the NAACP Portland Chapter in its opposition to approving the proposed contract.

This contract, as it stands, represents a missed opportunity to build trust with the community because:

- It does not address the issue of binding arbitration which has resulted in a lack of accountability for police officers.
- The contract was negotiated behind closed doors out of the view of the public.
- The contract was negotiated by the out-going Mayor depriving the public of the opportunity to hold the Mayor-elect accountable for this critical ordinance.
- The only opportunity for public comment is the limited time allowed today before the contract is due to be ratified.

**Because the existing contract does not expire until July 2017, the Oregon Chapter of the Sierra Club urges the Portland City Council to delay consideration of the contract until Mayor-elect Ted Wheeler has taken office and full public hearings have been held.**

Additionally, it appears that a procedure for police worn body cameras (body-cams) is also going to be discussed today. This procedure is listed in the published agenda only as Reference B. This important topic requires a full public discussion. Because body cams are a relatively new technology there is no recognized standard for their use, which impacts public privacy rights, their use in legal proceedings, and the public's right to view footage. The monetary impact of adopting this policy can also be substantial and needs to be addressed.

**The Oregon Chapter of the Sierra Club urges the Portland City Council to delay any consideration of body-cam procedures until there have been full public hearings on this complex topic.**

Please seize this opportunity to build public trust with an open community dialogue. In doing so, Portland can establish itself as a leader in community policing

188037

Thank you for your consideration of our comments.

*Gregory P. Monahan, PhD*

Gregory P. Monahan, PhD,  
Volunteer Organizer  
Oregon Chapter, Sierra Club



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**Fwd: public comment on PPB union vote**

4 messages

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**TERESA J** <browningtj@msn.com>  
To: "dickspringer@gmail.com" <dickspringer@gmail.com>

Tue, Sep 27, 2016 at 7:50 PM

Sent from my iPhone

Begin forwarded message:

**From:** <browningtj@msn.com>  
**Date:** September 27, 2016 at 2:08:33 PM HST  
**To:** <mayor@portlandoregon.gov>, <dan@portlandoregon.gov>, <nick@portlandoregon.gov>, <amanda@portlandoregon.gov>, <novick@portlandoregon.gov>  
**Subject:** public comment on PPB union vote

Mayor and City Council,

"To restore public confidence in the law, elected officials around the country will have to stop reflexively truckling to police unions and demand contracts that actually reflect the public interest".

When Police Unions Impede Justice

-New York Times Sept. 3, 2016

"The protection that unions have secured has helped to create a "culture of impunity."

Samuel Walker, police accountability expert.

The Thick Blue Line

-The New Yorker Sept.19, 2016

As relations have frayed nationally between the police and the communities they serve, police union contracts have come under scrutiny as a contributory factor. As a result, Citizens, newspapers, the DOJ and experts across the country have called for a better balance between the public interest and police labor demands. Reading the new, proposed PPB contract, it is apparent that Portland's City Hall is not paying attention to this national discussion.

The current proposal, allowing body camera previewing before an officer writes their incident report and the lack of timely investigations into police misconduct, are just brief examples of poor accountability and a disregard of public interest. For no apparent reason, there is a rush to get a four year contract in place. Speed rarely produces good policy nor does it allow for public input required for citizen buy-in and trust.

Please slow down. Look at this contract not only for how it benefits those who wear the Portland Police uniform but also how it serves the community and contributes to a healthy community police relation.

Please do not vote in favor of this PPB contract. Otherwise, as other cities across the country negotiate police contracts with an eye towards improving their police forces and building trust with the citizens, Portland will be stuck in a four year contract that does neither.

TJ Browning  
Sent from my iPhone

**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Tuesday, September 27, 2016 3:33 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: AMAC Letter PPA Contract  
**Attachments:** AMAC PPA COUNCIL.pdf

**Mustafa Washington**

Constituent Services Specialist  
Office Of Mayor Charlie Hales  
P: 503-823-4120  
mustafa.washington@portlandoregon.gov

**From:** tab4222@aol.com [mailto:tab4222@aol.com]  
**Sent:** Tuesday, September 27, 2016 1:07 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>;  
Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>;  
Commissioner Novick <novick@portlandoregon.gov>  
**Subject:** AMAC Letter PPA Contract

Mayor Hales and City Council Members,

Please see attached letter from The Albina Ministerial Alliance Coalition.

Thank you!

Dr. T. Allen Bethel  
Sent from [Mail](#) for Windows 10



**AMA***Dr. T. Allen Bethel  
President**Albina Ministerial  
Alliance**4222 NE 12<sup>th</sup> Ave.  
Portland, OR 97211**503.288.7243  
Fax: 503.288.1712  
AMA Alliance@aol.com*

September 26, 2016

188037

Honorable Charlie Hales, Mayor  
 Commissioner Dan Saltzman  
 Commissioner Nick Fish  
 Commissioner Amanda Fritz  
 Commissioner Steve Novick

The Albina Ministerial Alliance Coalition for Justice and Police Reform (AMAC), a long standing group of individuals and organizations has and continues to work towards those ends -reform and justice. We do believe that they are both reachable and sustainable. However, to reach and sustain these goals, all parties, Citizens and those we employ - city elected officials and law enforcement personnel must commit to transparency, fairness, equity and a willingness to do so.

In light of the pending Portland Police Association's proposed contract for City Council vote, we issue the following statements:

The AMAC has for years called for the elimination of the "48 Hour Rule." The AMAC continues to advocate for swift, thorough and comprehensive investigations into any alleged misconduct of officers. We affirm and support the elimination of the "48 Hour Rule" and the prohibition on reviewing body camera footage for deadly force incidents. However, we oppose any officers having the ability to delay or review footage on excessive force and other serious incidents. The footage is to establish the facts and not help any officer to delay or view to get their story correct.

Secondly, we call on our duly elected Mayor and Police Commissioner along with all Council members to uphold the laws, policies and enforcement thereof in all matters and dutifully carry out the what they pledged and were sworn in to do. We oppose The PPA being allowed to file a grievance about issues on reviewing footage in the body camera policy-- City Council sets city policy and the police follow that policy. Therefore, Counsel, step up and take your lawful place as government and policy makers and not allow your authority of policy making be relegated to those who are accountable to you as employees of the citizens of the City of Portland, who employ you.

Finally, at a time when lack of transparency is causing uprisings in other cities, the City should be striving for more transparency with the public, seeking engagement and the rebuilding of trust. While it is good that the

*Albina Ministerial Alliance Coalition for Justice & Police Reform*

Chief will have the discretion to release footage in some instances, we need stronger provisions including changing the state law requiring that all faces are blurred out. A purpose of said footage is to know who was involved, what were the actions and identity, not a redacted face -? nothing to hide - give us transparency for justice and reform.

I have attached a copy of a previous communication of other concerns.

The AMAC continues to work towards justice and police reform, commending the actions taken to move forward and yet a herald for those things that still remain, remember this is a marathon and not a sprint, we are running this marathon to the finish line.

Rev. Dr. T. Allen Bethel, Co-Chair  
AMAC

## PROPOSALS REGARDING PORTLAND POLICE ASSOCIATION CONTRACT

1. The City must push to make public all bargaining sessions with the Portland Police Association (PPA). Such public sessions were held in 2010 and 2013.

2. Changes to the contract that are about public policy and not workplace safety or other mandatory bargainable issues shall not be included in the contract. This includes, but is not limited to, setting policy on body cameras. In that regard, there shall be no viewing of body camera footage by officers before they write their police reports. Body cameras are being promised to the community as a way to hold officers accountable.

3. Changes made to the contract to improve community-police relations and only relating to public policy, such as the ones outlined below, shall not be bargained in exchange for financial gain or incentive by the PPA or its members.

4. Make the following changes to the contract:

a ) modify the binding arbitration clause so that terminations based on improper police action that involved deadly force and/or a death in custody goes instead to the Civil Service Board and the courts rather than an arbitrator. Community members' desire is to see officers who are fired to stay fired, and are concerned that arbitrators are not making neutral decisions.

[Article 22.5 states that an arbitrator's ruling will be final and binding.]

b) end the 48 hour rule.

[Article 61.2.1.3 reads: "Whenever delay in conducting the interview will not jeopardize the successful accomplishment of the investigation or when criminal culpability is not at issue, advance notice shall be given the officer not less than 48 hours before the initial interview commences or written reports are required from the officer."]

c) allow compelled testimony by a civilian agency investigating misconduct claims.

[Article 61.2.2 states interviews will take place at a Portland Police Station facility (though there are provisions to do them elsewhere, 61.2.2.2) and that the interviewer is implied to be a sworn officer as the member "shall be informed of the name, rank, and command of the officer in charge of the investigation" (61.2.2.4).]

d) allow IPR or similar agency to have jurisdiction over deadly force cases.

[Article 62.1.3 states IPR has "no authority or responsibility" on a series of other articles, which are:

59: Performance evaluations  
61.6 Personnel file  
61.7 Deadly force incidents  
61.8 Criminal investigations]

e) require testing for drugs/alcohol/steroids after deadly force / excessive force incidents based on probable cause, due to how unusual it is for officers to apply deadly force. Deadly force is only used once in every 80,000-100,000 calls for service. Federal regulations require truck drivers who kill or injure people in accidents to be tested for alcohol/drugs. Police officers using deadly force should be subjected to the same scrutiny.

[Article 61.10 allows for random drug testing.]

We look forward to your response to these concerns.

PROPOSED POLICIES FOR PORTLAND POLICE AROUND BODY CAMERAS  
from the Albina Ministerial Alliance Coalition for Justice and Police Reform  
(9/17/15)

- 1--The community has to be involved in setting any rules if the Bureau decides to get cameras.
- 2--A third party Oregon company subject to Oregon law who's not the manufacturer nor any law enforcement entity should store the footage, to ensure access/storage and prevent tampering.
- 3--If civilians who are in the video ok its being released, the footage should be released. To the extent possible under state law, the images should not be blurred out of those who have given release permission.
- 4--Policy should require officers to turn cameras on before interacting with any community member. There must be increasing, structured disciplinary measures depending on the seriousness of violations, including failing to record interactions or turning cameras off during contact.
- 5--Officers should not be allowed to review the footage before giving statements/writing reports so that they don't use the footage to change their statements.
- 6--Police must inform community members that they are being recorded, and inform them of their rights to remain silent and not make incriminating statements or walk away as appropriate.
- 7--Police cannot use footage to gather data on people's lawful activity in violation of state law (181.575).
- 8--PPB shall not tie the video to facial recognition software to pull up information on people when they have no suspicion of criminal conduct.
- 9--Footage should be used to hold police accountable for officer misconduct/ criminal activity and to improve training and policy.
- 10--Footage should not be used to prosecute community members for minor infractions; and footage should not be used to retroactively go back and find minor crimes to prosecute.

**Ben Earle**

5524 NE 30<sup>th</sup> Ave.  
Portland, OR 97211

503-680-8322  
ben.earle@comcast.net

September 27, 2016

Mayor Charlie Hales  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Steve Novick  
Commissioner Dan Saltzman  
Auditor Mary Hull Caballero

Dear City Leaders:

I am writing to urge you to defer approval of the Portland Police Association contract that was apparently negotiated at the direction of Mayor Hales without benefit of proper and sufficient public review and input and is being unnecessarily and unfairly rushed for consideration before Mayor-elect Wheeler takes office in January, which is a full six months before the current contract expires.

This proposed contract does not in any way provide for the type of specific remedies for community engagement with the police and essential changes in policing practices that were called for by the 2012 settlement with the US Department of Justice. Not only does it reflect a narrow focus on money rather than vision, it does not reflect the will, voice, or interests of the community the police are charged with both protecting and serving.

And though this deal may appear to cost the City significantly less than the previous one, ostensibly resulting in important savings that are desirable, as the Sept. 21 Portland Mercury article "Hall Monitor – The True Price of Hales' Police Deal" indicates, there are a number of critical questions about exactly how the deal's costs will be apportioned and paid for over time that appear to unfairly and inequitably benefit both retiring police officers and those already retired. Not only does this arrangement undermine both the intent and effect of improving the Police Bureau's performance and relations with the community, it threatens to dramatically deepen the City's budget difficulties at a time when it is already struggling to fund many pressing needs, from paying Parks employees to covering the \$3.5 million committed to homeless services. Worse, it would be the public picking up the police pension tab through inevitable property tax increases.

Allowing this precipitous approval to proceed at this time is both unfair and unwise to lock the City in for another six years of the same "old school" reform package that resulted from the last contract talks.

There are many things wrong with this contract that need full public hearing and fixing before it should be allowed to proceed:

1. It allows retired officers to be hired back for six years at the top of their paygrade but provides no criteria to determine if they are the type of officers that should be retained on the force. This situation would create "a revolving door of officers" retiring to get the best possible retirement plan and then rejoining the force at their top pay scale whether or not they have proven experience in de-escalation and building positive community relations.
  2. It ensures the most expensive officers are assigned to overtime first, rather than the "right level" officers needed based on the situation. This would allow the most highly paid officers the right to as much overtime as they want at the expense of other equally, or even more, qualified officers for whom overtime might make a difference in whether they stay or move on.
  3. The body-cam legislation the Mayor negotiated with the Union reneges on the promise for the public to have an opportunity to provide input. This new policy provides no accountability. As proposed, police would review video prior to writing their written reports which, rather than removing the 48 hours delay, in effect extends it to an unspecified period of time after an incident (with the exception of those involving deadly force). Why would police need to see video in advance unless they need to make their report match what's on the video? With the public having no access to the video during this time, this would create a situation actually worse than the current delay period that has already been agreed to be unacceptable.
-

4. Changes that are about public policy and not workplace safety or other mandatory bargainable issues should not be included in the contract. And changes that improve community – police relations and only relating to public policy should not be bargained in exchange for the PPA members' financial gain or incentive. I refer you to Portland Copwatch's testimony regarding "Reform proposals left out of previous PPA contracts" for specific recommended clauses to include.

Beyond the specifics of the PPA contract, with the unacceptable decommissioning of the Human Rights Commission and Community Police Relations Committee, and not allowed convening of the federally mandated Oversight Advisory Board City, it is incumbent on the Council to re-establish truly effective public oversight entities who are transparently, fairly, and equitable formed and led with proper funding and reasonable authority to be heard and act.

In summary, it is Mayor-elect Wheeler and the full newly elected City Council members slated to take office in January 2017 who should be accountable for the new PPA contract. It is especially essential at this time of both heightened distrust in the police by our community – and nation-wide – and the critical challenges successfully managing the City's budgets in an era of stressed funding source, that the Council takes proactive steps to ensure that a proper and complete review of this contract occurs. The Mayor-Elect and the public deserve the opportunity to weigh-in under new leadership regarding the terms of a new contract. We shouldn't have to wait 4 more years to have an impact on the next contract when it hasn't even expired yet.

Sincerely,



Ben Earle

188037  
Ben Earle 9/27/16

**Portland Copwatch is updating testimony. Reform proposals left out of previous PPA contracts:**

1. The City must push to make public all bargaining sessions with the Portland Police Association (PPA). Such public sessions were held in 2010 and 2013.
2. Changes to the contract that are about public policy and not workplace safety or other mandatory bargainable issues shall not be included in the contract. This includes, but is not limited to, setting policy on body cameras. In that regard, there shall be no viewing of body camera footage by officers before they write their police reports. Body cameras are being promised to the community as a way to hold officers accountable.
3. Changes made to the contract to improve community-police relations and only relating to public policy, such as the ones outlined below, shall not be bargained in exchange for financial gain or incentive by the PPA or its members.

4. Make the following changes to the contract:

a) modify the binding arbitration clause so that terminations based on improper police action that involved deadly force and/or a death in custody goes instead to the Civil Service Board and the courts rather than an arbitrator. Community members' desire is to see officers who are fired to stay fired, and are concerned that arbitrators are not making neutral decisions.

b) end the 48 hour rule.

c) allow compelled testimony by a civilian agency investigating misconduct claims.

[Article 61.2.2 states interviews will take place at a Portland Police Station facility (though there are provisions to do them elsewhere, 61.2.2.2) and that the interviewer is implied to be a sworn officer as the member "shall be informed of the name, rank, and command of the officer in charge of the investigation" (61.2.2.4).]

d) allow IPR or similar agency to have jurisdiction over deadly force cases.

[Article 62.1.3 states IPR has "no authority or responsibility" on a series of other articles, which are:

59: Performance evaluations

61.6 Personnel file

61.7 Deadly force incidents

61.8 Criminal investigations]

e) require testing for drugs/alcohol/steroids after deadly force / excessive force incidents based on probable cause, due to how unusual it is for officers to apply deadly force. Deadly force is only used once in every 80,000-100,000 calls for service. Federal regulations require truck drivers who kill or injure people in accidents to be tested for alcohol/drugs. Police officers using deadly force should be subjected to the same scrutiny.

[Article 61.10 allows for random drug testing.]



**Moore-Love, Karla**

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**From:** Washington, Mustafa  
**Sent:** Monday, September 26, 2016 3:40 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Regarding PPA contract vote on Wed  
**Attachments:** NAACP Letter to Portland City Council-PPA Contract 92816\_JA-Final\_GM.docx

**Mustafa Washington**

Constituent Services Specialist  
Office Of Mayor Charlie Hales  
P: 503-823-4120  
mustafa.washington@portlandoregon.gov

**From:** Jo Ann Hardesty [mailto:joannhardesty@gmail.com]  
**Sent:** Monday, September 26, 2016 8:19 AM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Novick, Steve <Steve.Novick@portlandoregon.gov>  
**Subject:** Regarding PPA contract vote on Wed

Good Morning,

I am writing to urge you to reject this contract. See attached correspondence on behalf of the NAACP Portland Branch!

--

Jo Ann Hardesty, Principle Partner  
Consult Hardesty  
Producing A More Just & Equitable World  
503-957-4364

[joannhardesty@gmail.com](mailto:joannhardesty@gmail.com)

"In the end we will not remember the words of our enemies, but the silence of our friends" Dr. Rev. Martin Luther King Jr.



188037

NAACP Portland Chapter 1120B  
P.O. Box 12333  
Portland, OR 97233

Jo Ann Hardesty, President  
James Posey, 1<sup>st</sup> Vice President  
Cynthia Harris, 2<sup>nd</sup> Vice President

(vacant) 3<sup>rd</sup> VP  
Mellissa Lang, Asst. Secretary  
Bryant Enge, Treasure

September 24<sup>th</sup> 2016

Mayor Hales  
Commissioner Saltzman  
Commissioner Fritz  
Commissioner Fish  
Commissioner Novick  
Auditor Caballero

Dear Elected Leaders:

I am writing this evening on behalf of the members of the NAACP Portland Chapter 1120 to request you reject the new PPA contract negotiated behind closed doors at the direction of Mayor Hales. Where is the fire? We have a Mayor-elect who will take office in January, six-months before the current contract expires. This contract is another smack in the face of community members who expected to have an opportunity to weigh in on this contract and who expect the contract to reflect a new vision of policing. This contract is woefully inadequate and will lock us in for another six years of the same old same old pretend reform package we got under the last contract talks.

Why is this contract so bad? It reflects the narrow focus on money rather than vision and does not reflect the will and/or voice of the community. There are many things wrong with this contract.

1. The contract allows retired officers to be hired back for six-years at the top of their paygrade. However, there is no criteria to determine if the officer is the type of officer we want to retain on the force. With no criteria we will create a revolving door of police officers retiring to get the best retirement plan and then rejoining the force at their top pay scale whether or not they have proven experience in de-escalation and building positive community relations.
2. The contract ensures that the most expensive police officers are assigned to overtime first, rather than a mid-level employee or rather than the right level officer needed based on the situation. This component ensures that the most highly paid police officers have the right to as much overtime as they want as compared to younger officers who the overtime might make a difference in whether or not they stay with the Portland Police Bureau.
3. It appears that the mayor negotiated body-cam legislation with the union but reneged on the promise to the public that they would have an opportunity to weigh-in on body cam legislation. Instead, the mayor went behind closed doors with the police union and developed a policy that is just the opposite of an accountability policy. As proposed, police would review video prior to writing their written reports which basically extends the 48-hours to an unspecified period of time for police to write a report after an incident with the exception of deadly force. Why would police need to see video before writing a written report unless they need to make their report match what's on the video tape? Since the public has no access to the video this is totally unacceptable.
4. Both the Mayor and then Police Chief (O'Dea) promised the public that we would have the opportunity to be a part of the process of developing body-cam regulations that would provide clear guidelines for how this technology would be used. In the community meetings I have attended the Mayor has misrepresented public input. There were two community meetings over a year ago with no other public meetings scheduled. The mayor put together an internal workgroup but the community has had no access to those meetings.

5. I made several requests to both the mayor's office and the chief's office to engage the public in this necessary conversation before we invest resources or negotiate a policy deal written for and with the police union. How can the public have any confidence in a tool that is supposed to create transparency yet is developed and agreed to behind closed doors? This expensive tool seems to only be beneficial to police and does nothing to contribute to transparency and accountability that is the expectation of the public in this new era of policing in America.
  
6. The Mayor-elect is the person we need to be able to hold accountable for this contract; he should be the one negotiating it. The Mayor-Elect and the public deserve the opportunity to weigh-in under new leadership regarding the terms of a new contract. We shouldn't have to wait 6-years to have an impact on the next contract since it hasn't expired. This contract is a big money giveaway without any public benefit. The elimination of the 48 hour rule looks good as a talking point. However, this is out-weighed by replacing it with legislation that ensures it will take longer than 48 hours for officers to both review the video and write their written reports because he is allowed to wait to review body cam video. With no timeline in place this rule is worse than the 48 hour rule it will replace. We the public expect and deserve better public access, oversight and influence on this policy.

Sincerely,

Jo Ann Hardesty, President  
NAACP Portland Branch 1120

188037

**Moore-Love, Karla**

---

**From:** Washington, Mustafa  
**Sent:** Tuesday, September 27, 2016 10:04 AM  
**To:** Council Clerk – Testimony  
**Cc:** Wesson-Mitchell, Deanna  
**Subject:** FW: Vote on new PPB contract

**Mustafa Washington**

Constituent Services Specialist  
Office Of Mayor Charlie Hales  
P: 503-823-4120  
mustafa.washington@portlandoregon.gov

**From:** rochelle silver [mailto:rsilver1@yahoo.com]  
**Sent:** Monday, September 26, 2016 4:51 PM  
**To:** Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>  
**Subject:** Vote on new PPB contract

Good afternoon - my name is Rochelle Silver. I am a current member of the COAB and former member of the CRC. I will not be able to attend City Council on Wednesday but wish to make two comments for your consideration:

1. I ask that you slow down in voting on a new PPB contract without consideration of a variety of issues that need to be changed and in light of the fact that a new Mayor/Police Commissioner will be on the job in only 3+months and will have to live with your decisions without weighing in on the issues himself. I understand that the PPB believes it needs to raise salaries to attract and retain members. Maybe that issue can be dealt with by itself and the rest of the contract left alone for further study.
  2. Second, and equally important, by removing the "48 hour rule" you are not accomplishing anything unless you add to the contract affirmative statements as to the timeline officers will be interviewed. If there is no rule, PPB and IA/IPR can do what they wish and officers will continue to have at least 48 hours or more before being interviewed. If you vote on the new contract , as is, they will need the time to not only review what they want to say but to review video from body cams and dash cams. This would be a serious mistake that the accountability system will have to live with for many years if you are hasty in pushing through the proposed changed.
- Please slow down. This is serious business and needs more study.

Thank you,  
Rochelle Silver, Ph.D.