



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17th DAY OF JANUARY, 2001 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Saltzman and Sten, 4.

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Ben Walters, Senior Deputy City Attorney; and Peter Hurley, Sergeant at Arms.

Item No. 51 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

CONSENT AGENDA - NO DISCUSSION

- 45** Accept bid of JP Contractors, Inc. to furnish Jamison Square Park improvements for \$2,623,112 (Purchasing Report - Bid No. 100190)

Disposition: Accepted Prepare Contract. (Y-4)

Mayor Vera Katz

- 46** Confirm appointment of Thomas Abrahamson to the Hospital Facilities Authority Board for a term to expire June 30, 2003 (Report)

Disposition: Confirmed. (Y-4)

- 47** Approve the Twenty-Fifth Amendment to the Downtown Waterfront Urban Renewal Plan and the acquisition of the site at NW 8th Avenue and West Burnside Street, including by condemnation, if necessary (Resolution)

Disposition: Resolution No. 35958. (Y-4)

- *48** Authorize application to the U.S. Department of Commerce, Economic Development Administration for a grant in the amount of \$60,000 (Ordinance)

Disposition: Ordinance No. 175244. (Y-4)

- *49** Authorize submission of advance refunding plans (Ordinance)

Disposition: Ordinance No. 175245. (Y-4)

- *50** Authorize agreement with the City, Metro and the Portland Development Commission for the Convention Center expansion project (Ordinance)

JANUARY 17, 2001

Disposition: Ordinance No. 175246. (Y-4)

- *51 Contract to renovate the Centennial Mills site for the Police Bureau Mounted Patrol Unit and provide for payment (Ordinance)

Disposition: Ordinance No. 175260. (Y-4)

- *52 Amend agreement with Emmons Company for the remodel of Fire Stations 4, 22 and 41 and provide for payment (Ordinance; amend Agreement No. 32306)

Disposition: Ordinance No. 175247. (Y-4)

- *53 Amend agreement with Peck-Smiley-Ettlin Architects, Inc. to provide for an increase in compensation and allow Bureau Director to increase compensation up to 25 percent of contract amount and provide for payment (Ordinance; amend Agreement No. 32966)

Disposition: Ordinance No. 175248. (Y-4)

Commissioner Charlie Hales

- 54 Declare the purpose and intention of the City to construct street, structure, retaining wall, drainage, signing, striping and illumination improvements in the Lower Albina Overcrossing Local Improvement District (Resolution; C-9988)

Disposition: Resolution No. 35959. (Y-4)

Commissioner Dan Saltzman

- *55 Authorize a contract and provide for payment for the construction of Alder Basin sewer relief and reconstruction, Phase 3, Unit 2, Project No. 6070 (Ordinance)

Disposition: Ordinance No. 175249. (Y-4)

- *56 Contract with the Association for Portland Progress for crime prevention services in the downtown area for the period of July 1, 2000 through June 30, 2001 and provide for payment (Ordinance)

Disposition: Ordinance No. 175250. (Y-4)

Commissioner Erik Sten

- *57 Authorize a contract with Analytical Automation Specialist, Inc. and provide for payment for purchase of a Laboratory Information Management System selected through a Request for Proposal process for the Bureau of Water Works (Ordinance)

Disposition: Ordinance No. 175251. (Y-4)

JANUARY 17, 2001

- 58** Amend an Intergovernmental Agreement with the University of Washington for additional services to enhance and provide maintenance and training for the Portland Water Bureau Supply and Transmission Model and provide payment (Ordinance; amend Contract No. 32943)
- Disposition:** Passed to Second Reading January 24, 2001 at 9:30 a.m.
- *59** Settle grievance of Dennis Fisk (Ordinance)
- Disposition:** Ordinance No. 175252. (Y-4)
- *60** Contract with NorthEast Coalition of Neighborhoods for \$51,100 for the Humboldt Targeted Area Designation and provide for payment (Ordinance)
- Disposition:** Ordinance No. 175253. (Y-4)
- *61** Amend Agreement with Transition Projects, Inc. for \$141,507 of McKinney Grant funds for the operating costs at Jean's Place and provide for payment (Ordinance; amend Agreement No. 33140)
- Disposition:** Ordinance No. 175254. (Y-4)
- *62** Contract with Portland Housing Center for \$190,844 for the homebuyer assistance and renter housing services and provide for payment (Ordinance)
- Disposition:** Ordinance No. 175255. (Y-4)
- 63** Authorize an Intergovernmental Agreement between the City and Clackamas River Water to develop an emergency operations plan and provide other technical services (Second Reading Agenda 35)
- Disposition:** Ordinance No. 175256. (Y-4)
- 64** Authorize an Intergovernmental Agreement between the City and the City of Milwaukie for services to supply water for emergency or backup purposes and provide for payment (Second Reading Agenda 36)
- Disposition:** Ordinance No. 175257. (Y-4)

REGULAR AGENDA

Commissioner Jim Francesconi

- *65** Authorize acceptance of the former Killingsworth Landfill at NE 75th and Killingsworth Street from Multnomah County and enter into an Intergovernmental Agreement and a Solid Waste Disposal Site Closure Permit with the Oregon Department of Environmental Quality (Ordinance)

JANUARY 17, 2001

Disposition: Continued to January 24, 2001 at 9:30 a.m.

Commissioner Charlie Hales

- *66 Create a local improvement district to construct street improvements in the Lents Town Center Phase I Local Improvement District (Hearing; Ordinance; C-9986)

Motion to deny the remonstrance: Moved by Commissioner Francesconi and seconded by Commissioner Saltzman.

Disposition: Ordinance No. 175258. (Y-4)

- *67 Create a local improvement district to construct street improvements in the Lents Town Center Phase II Local Improvement District (Hearing; Ordinance; C-9987)

Disposition: Ordinance No. 175259. (Y-4)

Communication

- 68 Request of Patrick Dinan to address Council regarding Police Bureau actions (Communication)

Disposition: Placed on File.

At 10:27 a.m., Council recessed.

JANUARY 17, 2001

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17th DAY OF JANUARY, 2001 AT 6:30 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Saltzman and Sten, 4.

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Kathryn Beaumont, Senior Deputy City Attorney; and Peter Hurley, Sergeant at Arms.

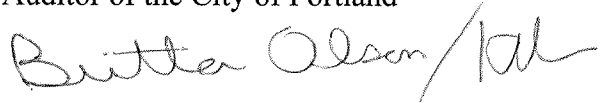
69 **TIME CERTAIN: 6:30 PM** – Accept majority and minority reports of the Portland Internal Investigations Auditing Committee (PIIAC) Workgroup and hear public testimony on citizen oversight of police (Report introduced by Mayor Katz)

Motion to accept both the minority and majority report: Moved by Commissioner Saltzman and seconded by Commissioner Francesconi.

Disposition: Accepted. (Y-4)

At 9:55 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

A handwritten signature in cursive script that reads "Britta Olson" followed by a stylized flourish or initials.

By Britta Olson
Clerk of the Council

For discussion of agenda items, please consult the following Closed Caption Transcript.

JANUARY 17, 2001

Closed Caption Transcript of Portland City Council Meeting

This transcript was produced through the closed captioning process for the televised City Council broadcast.

Key: ***** means unidentified speaker.

JANUARY 17, 2001 9:30 AM

Katz: All right. We have, on the concept agenda, we have had -- I pulled item 51, do we have anybody here to talk about 51? Oh. I thought that I made it clear that I was going to pull it. All right. And all right, why don't we pull it and hold off. Would you call them and tell them to bring somebody down for 51? All right. Consent agenda item, any other items to be pulled off the consent agenda? If not, anybody in the audience wanting to pull an item off the consent agenda? Roll call. **Francesconi:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. And we will bring 51 up again. I just want everybody to know what's been happening to 51. Okay. We are now on the regular agenda.

Item 65.

Katz: Commissioner Francesconi?

Francesconi: Mayor, I want to give you a status report but I would like to brought back in two week, and here's the reason. It would be great because that neighborhood, it would turn it -- they put up something and now they will bet a benefit. It will be a great place for kids to play. I thought, we are negotiating with metro, to see if they can give us some help, and I thought by now, this would have been concluded. We are just a little ways apart, so I need, within two weeks, I think, we can get this deal wrapped up. So I apologize, but if we could bring this back in two weeks.

Katz: Okay. Any objections? Hearing none, so ordered. All right. Item 66.

Item No. 66.

Katz: We also had something on that, right? So we need to deal with that, as well.

David Nemo, Portland Development Commission (PDC): Good morning, mayor, and commissioners, my name is david, and I am a project manager of the lents town urban center renewal area, and employee of the Portland development commission. We are here this morning in kind of an exciting and momentous occasion to move forward with one of the most important aspects of our overall urban renewal plan, and that is to promote and support the whole scale neighborhood revitalization effort in the lents town center renewal area. One of the goals of the -- that the council adopted in the urban renewal plan was to maintain and increase livabilty of residential neighborhoods, and in particular, to invest in local streets, parks, and other public facilities as desired by the residents. We have moved for a long time and have had considerable input from the community, and they said that their neighborhood streets was very important. There are over 7 miles of unpaved streets. What you are going to hear in a minute so how this program was created and where we are headed with it, and hopefully, within the next two or three years, we will have completed paving about 25% of those streets. This program represents a considerable amount of effort, both from staff and from the community, and you will hear about the process that we use to get here from carol hertzberg, the project coordinator, and also considerable amount of cooperation with the office of transportation and matt brown will be presenting that, and the details related to the formation of the lid's. With that, I am going to turn it over to carol, who is

JANUARY 17, 2001

going to give us just a brief -- with how we got here on the neighborhood involvement and some of the issues that have risen and how we have handled them.

Carol Herzberg, PDC: Good morning. Thanks for letting me speak. And I am carol hertzberg. I staff the neighborhood livability committee in lents town center for Portland development commission. A little over a year and a half ago, when we started having our project citizen meetings, in my committee, street paving roads, right up -- street paving rose up to the top of the list because of the input we were getting from the community and the people attending. And the first step was working with citizens in the area and transportation to inventory all of the unpaved and substandard streets in the area. That's about seven miles in lents town center. Then we began putting together our program, our street paving program, and there was two key objectives. One was to make our urban renewal money go as far as it could. We figured if we paved every street, it would be about \$17 million. We have to figure out a way to do it, and the other one was doing it at a cost that people in the area could afford. And the program is really very much geared towards that. There is a 70% urban renewal subsidy on the street paving, so property owners pay 30%, urban renewal pays 70%. The price is a flat price that's known upfront to the property owners, so it is not after the fact, you know what you are getting by your square footage. There is a number of payment options and we do not want anyone to suffer as a result of this program. So, in addition to traditional options, like installment, loans, people can choose to defer their cost of paving until they resell or refinance their home, and there is 100% grant available for low income, property owners, and that's anyone below 60%, mfi. We also prioritized which streets would come first and those highest on the list are connecting streets that connect, paved, already paved areas, streets with high property owner's support, and sort of construction efficiency, streets that were grouped together, also figured in, and that's resulted in the packages in front of you today. Along with designing our program, we did a very extensive public outreach process. We had -- we worked on our committee. We did open house, workshops, every property owner on an unpaved street got letters talking to them about the program beginning and inviting them to two public meetings where we discussed the program in detail, and then transportation, went out to people on individual streets where there was interest in paving and met with them and talked in more detail about the specifics. And we are just pleased today that the conceptual is hopefully moving towards reality, and I just wanted to also really say thank you to matt and linda at transportation, because they have done an enormous amount of work, and the citizens on the committee, who really, really helped.

Matt Brown, Portland Office of Transportation (PDOT): Thanks. Matt brown, lid administrator with the office of transportation. It is nice to be back talking about, you know, what we can do with lid's instead of what we can do to lid's. So, it is really great, and it has been nice to have pdc as a real partner out in lents and helping to fund streets. You know, one of the things that we talked about in november, we were talking about the lid process -- [laughter]

Katz: Is it nice to have them as partners or partners only because they are going to pay for this? [laughter] Both. But they have been very good partners, and I think it has really helped us in terms of our public process that they laid the groundwork in the public community for us to basically plug into and had a good plan for how to approach the unpaved streets, so it was very easy for us to pick up there and really be able to help them get this off the ground. The money does help, though. [laughter]

Brown: And you know, again, getting back to what we were talking about in november, with the changes to the lid process, there is a few things that happened in this that are -- that really point to some of the improvements we are talking about. First and foremost, addressing the cost issue for property owners, so in this case, we are providing a 70% subsidy to property owners on these streets. Providing a fixed cost amount to property owners, again, everyone's price on this is capped

JANUARY 17, 2001

at 62 cents per square foot. The price they see today is the price that it will be when the project is complete. It won't go down, that is exactly what it is, and that is the price they saw when they signed the petition. And we hope, as well, very collaborative process, and a good process for reaching out and talking to folks about this, which again, is key to getting these done. We had a couple open houses in June to talk about this. Generate some support from there. We met with property owners on 14 different streets and lots and actually got out there with spray paint and were able to, you know, here's what it is going to look like, and able to answer questions right there for people on the street about what these lids are going to look like and how they may be affected. Just real briefly, for the most part, the typical street design in lots is 26-foot wide street. More of a skinny street variety, with sidewalks on both sides, planting strips, most of the right-of-ways that we encounter of 50-foot right-of-ways so that leaves about 2 feet on either side before you actually get to the property line. There will be cases where we need to modify the design and that was included in our -- in the lid proposal, that's before you today. But we may have to widen or narrow the street, or do some other things where the sidewalk is located just to get it to fit and work. Also, the stormwater improvements that will be going in will be systems with sedimentation manholes so none of the water will go directly to the streets or creeks in the area, especially Johnson Creek. And with that, we have basically two items, you know, in front of you right now. We broke these up. We are going to have two separate contracts so that's why we have the two lids in front of you. The first one, I guess, that we will take action on --

Katz: Why don't we do the second one, as well, 67, Britta.

Brown: Okay. So that's the second contract that we plan on letting -- both of those contracts we plan on letting this summer and having those projects complete by the end of the calendar year, so we will be back with assessments hopefully right around this time next year. The phase I lid includes four street segments, Southeast Insley, and Southeast Boise from 92nd to 104th. Southeast Boise from 112th to 116th. We received one for those, the level of support combined with those streets is 82%. We did not use waivers on these, so that is all signed petitions for the project. And you have the engineer's report on that in front of you.

Katz: Okay. Council, any questions?

Brown: I am sorry, that's for the phase i. Do you want me to do phase ii, as well?

Katz: Did you want to start phase ii or go right to Matt? Matt, why don't you go ahead and do that.

Brown: That includes three primary street segments. Phase ii is Southeast 107th from Cora to Francis, Southeast Boise, 2720 feet, and Southeast Lafayette from 88th East, 486 feet or somewhere in there. So those are the three segments in that. For that lid, we received signature support for 61.6%, and we have three remonstrances, and that's in the report in front of you.

Katz: Okay, questions.

Francesconi: I just will one. Was there any -- the street design, you know, we heard a lot earlier about cheap and skinny streets, not cheap, but skinny streets. Was there any --

Katz: Inexpensive? [laughter]

Francesconi: Was there any thought given to not a typical street in this, as a way of saving money?

Brown: Well, the way that we really went out on this is that lots is sort of unique, the right of ways are fairly wide open. They haven't been encroached on a lot. There is a lot of space to work with. It is flat. And you also have, you know, the beginnings of a sidewalk network in that area of town. So, the thought was, let's go out, really, with some more, you know, standard kind of design, 26 feet, and we talked about design as part of, you know, the petition process, so there may be cases, again, where we modify the design. We have had to do that because of topography or right-of-way issues, and we have done that. But for the most part, we wanted to go out with that,

JANUARY 17, 2001

and for the most part, people, again, by the signature support, people have been pretty supportive of a -- of that kind of design for the streets. Just one quick thing on this. We also have bobby fast, who is leading up the citizen's committee on this, I think, also wanted to come up.

Saltzman: I was curious, did we incorporate any principles of our lid redesign in these particular projects?

*******:** Well, as I said, the three main ones, I think, that made a difference here were first of all, getting at the cost issue, which obviously is 70% subsidy, helped a lot with getting at a fixed cost.

Saltzman: Fixed cost, up front?

Brown: Right, so that property owners knew when they were signing a petition what that price was going to be. Even though we went through this fairly quickly, I would like to think that we did a good job of getting out onto the streets and really talking to people, trying to talk them through before they sign a petition, exactly what the street was going to look like, how much was it going to cost, and you would be able to really work through any issues that they may have had about the lid process, itself, or some of the financing programs that pdc has available to help with lower income folks on these streets, so in my mind, that upfront work, you know, it wasn't real intensive but I think it is very important to do that before, you know, we ask people to sign petitions and that was one important principle, I hope, that we can keep working on.

Katz: Do me a favor, I was gone when you made the report on the lid, could you send me a complete report on that?

Brown: Absolutely.

Katz: Thanks. All right. Thank you. Why don't we take the citizen -- I am sorry, the --

Robbie Fast: Hi, I am robbie fast and I live on 102nd, so on one of the streets. I just wanted to talk, commissioner Francesconi, you showed up at our urban renewal meeting last time and I think your biggest punch was, let's get the money on the street, and let's do something with this and let's do something for the citizens that will make a difference. And so, when you are looking at this, I would tell you a couple of things about this. First of all, this is something that's definitely going to impact the people that live in this area. I live on a street that has dirt. It gets into my computer. It gets into my microwave. It goes into my drapes and it is difficult because the dust factor is really big. And my neighbors feel the same way, so when you were talking about money that's going to affect a lifestyle or a neighborhood livability issue, this is a big one. It was important to me, as a committee member, and as a homeowner, that we design this process so that the homeowner would have a lot of say in whether they wanted to do this or not. I am not in favor of government knocking on your door saying, guess what, you are going to spend 3,000 -- didn't want to have that happen. So we talked about how to do this. It was important to me that we did everything we could to get the homeowners involved to have them know what they were doing, to have them know how much money it was going to cost. To have them be able to really have a say. So, the several meetings that were held. The street meetings that were held and the petitions that were signed to me, was a big comfort because it was saying, you guys have a say in this. We are not just going to railroad you into something. The support on my street, I believe, was like 79%, officially. But if you went back to the ones that, you know, didn't get a chance to sign the petition at the time, you actually have like a more closer to an 89% support level, so the support that we have seen, especially on my street, has been very, very high to make this happen because this is a livability issue. So, when you are looking at these things in front and commissioner Francesconi, said, get the money on the streets, I would encourage you to approve this, and get the money on the streets and let these people start using some of this renewal funds that are there.

Katz: Let me ask you, so on the average, what would it be, 3,000 over a long, long period of time?

JANUARY 17, 2001

Fast: Yeah. Well, you have several ways to pay for that, so my house, alone, is like \$3254. Now, I can choose to do that on a 10 or 20-year note. I can defer those payments. I could just pay for it with an equity line. There is all kinds of different ways that I can do that. I think that they figured out the cost on a ten-year with the interest rate at, where it is at right now on an average house was like \$255 month, somewhere around there.

Katz: Can you defer payment until the sale of the house?

Fast: Yes, you can. I couldn't, you can -- yes, you can. And I didn't hear carol say this but we also put in a plan so that if you were at 60% or below of the medium family income, you get 100% subsidy, or apply for it, so that we will not be penalizing those people who would maybe say no to this street because they couldn't afford the \$25 a month. But, that they would still be able to benefit from this and have a way to get it paid for.

Richard Jacobsen: 4154 SE 103rd, 97266. I will explain it as I go along. I go along with this street improvement --

Katz: Richard, did you identify yourself -- identify yourself for the record.

Jacobsen: Okay. I am richard jacobson I reside at 415 southeast 103rd. On this paper here in the first page. The red "x"'s are our property, and the yellow highlight is a 10-foot strip owned by Multnomah county between our property and the street. At the time this was proposed, I talked to matt brown, and linda berth in questioning why we were assessed when we actually do not abut the street. And I will go along with whatever the decision is made. And on page 2, it shows the two properties, highlighted, jacobson and Multnomah county, and puts the strip on our property. Page 3, is a copy of our deed, giving the legal description excepting the south 10 feet thereof for the wyden widening of boise street. The yellow map, the highlighting on the first page was supposed to be taken whenever boise street was improved, that would be the sidewalk, parking strip and curve. Well, the new design eliminates that. So, we are being assessed even though our property does not abut the street, I mean, in the sense of that, we are only 10 feet away but Multnomah county owns the property in between. And then I want to give you a little background on this. I think it is pertinent. In 1995, the county auctioned off this 10-foot strip. A person got it. I went to the auction but I didn't bid on it because it was going up pretty high. And it turned out the person that got this, removed a pickup and a camper on this property and was going to live on it. 10 feet by 100. This was in june of '95. The next three weeks for us was a living hell. This person threatened us. Threatened the neighbors. Police were called ten times. They responded. The city was involved. The city attorney's office was involved. It cost the city, I am sure, thousands of dollars. Went to court.

Katz: Is this the case we lost?

Jacobsen: No. No, it wasn't. This made hell for the neighborhood, let me put it that way. He made it hell for the city. I understand he came tower office, madam mayor, hassled you, your staff, hassled every bureau in the city. He finally adopted a point -- the final conclusion was he went to the internal fire department, police department, and threatened a clerk. That's when they arrested him for, I can't remember the term that they used. It took four weeks to do this. And finally, it was resolved but it cost us \$1,200 in attorney's fees. My wife and myself. It was recommended we hire an attorney to act as a buffer between us. I call him a maniac yak. He was a smart maniac. What it boiled down to, and he said this, he was using this for extortion. He was going to make life so miserable that the neighbors would give him \$20,000 to get rid of him. And like I say, the city must have spent thousands of dollars on this case. Like I say, I went to court twice and he took it to the federal court for violation of the civil rights. All the way through. Well, this is my presentation, and I thank you for allowing me --

Saltzman: Who owns this property now, this little strip?

JANUARY 17, 2001

Jacobsen: That 10-foot strip is still owned by the tax department. I talk to do a gentleman there, greg thomas.

Saltzman: Have they ever made an offer to you to purchase it?

Jacobsen: They said that we could buy it but after all the hell that we have gone through I am not going to buy it. If they want to give me, possibly. Thank you.

Katz: Who were you pointing to? Okay. But he wanted -- I wanted a response with regard to the section that's abutting the --

Brown: Sure. The main criteria for determining who is in and out of an lid isn't necessarily whether you abut, whether you benefit from the improvement. It was our opinion the property was going to benefit from this improvement much like any of the other properties along the street would. The other thing to point out about the 10-foot strip is that it is one of the corks, you know, sort of slipped through the crack at some point. It is property designated as right-of-way but owned in fee simple so essentially, it is essentially worthless unless it goes somewhere else so, that property isn't benefiting from the street improvement really, either. We have had conversations with the county about trying to get the, you know, once the assessment is made, could we just call it a deal and move the property back to the jacobson and no money changes hands and sort of wrap it up cleanly that way, and we will continue to explore that with the county and see if we can get that taken care of.

Katz: Why don't you do that.

Brown: We have tried a number of times.

Katz: All right. Anybody else want to testify?

Brown: I approve of that --

Katz: We understand. That's fine, and you had your three minutes and we sympathize with you.

Patrick Lindsey: 4230 SE 104th, Hi, I am patrick lindsey, and I just stopped by here to thank the city council and the city of Portland for doing the lents program. I am heavily in favor of it, and everyone there thinks it is a great deal.

Francesconi: That was nice of you, sir, to take time to do that.

Richard White: This won't be nice. I am richard white. I own the property at 10922 southeast boise. I have adjacent property that runs concurrent from there, from there to holgate. The holgate property I bought in 1960 and this property I bought in 1982. So it has been in the last 40 years my plan to develop my property and build a home, which I did. I put one of the first manufactured homes of the city on the property that I now own on boise. So, my other point is, is there a law number showing or stating as to how you come up with this .62 cents per foot per street frontage? -- cents per foot per street frontage?

Katz: We will bring matt to respond to that.

White: The next is figuring this out, and looking at this, I am not an apartment nor a food store or a movie theater. There is only two of us there, me and my wife, and I am retired now and beginning to become retired. So that means we don't drive out there very much. And as far as the availability and this discussion of all these big plans and discussing things with the neighborhood, it doesn't take place. There was one meeting, I am thinking at the time, I had work to do. I couldn't make the meeting. I thought that this would be sort of a simple, understandable thing of putting in a simple black-top street. I have sent two letters to him. One was back in august and the other one was january 3. In regards to all of this, because missing that one meeting that took place last summer, it seemed to be that there was a consensus that oh, let's go for it, no problem. Well, there is a problem when you go for it and take the money out of my pocket and do some ridiculous thing at some ridiculous cost. Yeah, on that, there was no great meetings or no great discussions or no great street planning or anything that came to me directly or anybody around me directly.

JANUARY 17, 2001

Otherwise, I would have had time to be there. The thing of it is that I find in, since I am in construction, I find that 720 feet by 22 feet comes to approximately \$20,000 in black-top, that's 34,000. Where do you people get this fantastic figure? Are we going to retire here or build some homes some place?

Francesconi: That was uncalled for, sir. That last comment was. That last comment was uncalled for.

White: I can back up the facts to what this cost is. This isn't something I pulled out of my head. You are showing me first that I owed 10,868 for 22 foot of frontage. I can't see that. So you reduce it down by 70%, that still comes out 3,260. I am just using these odd-ball figures here but they are pretty close so. That comes out to 148 feet per foot on this frontage. Well, as I said, in my figures that I came up with from other contractors, the street, my street costs should be approximately \$519, they are figuring the flatwork, that would be the concrete work, \$800. That comes to about \$1300 -- yeah, 1,319. I don't see these other costs.

Katz: Let me bring matt. Are you prepared to respond to this? Come on up. Thank you, sir.

Brown: Okay. Matt brown, lid administrator, office of transportation. In the engineer's report, mr. White has two letters, the two letters that he was referring to are in there and our responses to those are in there, so there is also information there. In general, one question, how did we come up with the 62 cents per square foot. These streets were estimated based on our historic cost items that we get looking back at all the bids that we have contracted out over the last three or four years. So, we historically can rely on those and historically they are very accurate in terms of estimating what the cost of the street is going to be. The 62 cents per square foot is a number that is basically represents approximately 30% of the, of the total cost, if we were to, to break it down that way. The --

Saltzman: That's the square footage of the total property?

Brown: Yes.

Saltzman: The area of the property? Area of the property?

Brown: That's right. The method that was chosen for this, square footage method is the fairest when you look at the potential that a property has to benefit from a street, so for a flag lot like the white's, to point that out, is this lot right here, a very deep lot, very deep lot coming off of boise, this is an area that's zoned r-2, potential for very dense housing. You know, really wouldn't matter one way or the other much what the zoning is but the, the key is that that property could be developed at a much higher potential and probably will be at some point in the future at a much higher potential than what it is today. And as a result, will stand to benefit more from the street. So the laws that are being referred to here have to do with providing a nexus between the amount that a property will benefit from the improvement and the improvement, itself, and that's how that number was derived. As far as the public process, I can only apologize that he wasn't able to participate. We did have two open houses and a meeting on the street that were available to him that all property owners on the streets, that are that are unimproved like this, were notified about it, so anyway, any other questions on this?

Saltzman: There is a mechanism available to mr. White for 100% subsidy?

White: I am not --

Katz: You can have a conversation with matt --

White: The other part was, I do have one letter -- sent to me, this, this availability to all of this open meeting didn't take place.

Katz: Sir, thank you. You and matt please have a conversation outside so that he can give you the information.

White: I will do that.

JANUARY 17, 2001

Charles Potter: Charles potter have 10625 southeast boise street. I am here to say that I am in favor of the street improvement on 107th and it will benefit all of us. That's all I have to say.

Katz: Thank you. Anybody else? Questions by the council? All right. I need a motion on the remonstrances.

Francesconi: I move we deny it and uphold the decision to proceed.

Katz: Do I hear a second? Any objections? Hearing none, so ordered. Roll call.

Francesconi: Let me just comment on both of these briefly. You know, with the mayor's leadership, but the whole work of the whole council and especially, the work of the staff, the ratings have gone up and the auditor's report in southeast Portland in terms of the residents' satisfaction with the city, and that's very good. As we are able to pave more streets, develop the commercial center, rehabilitate housing, provide more employment, do more in the education side with these urban renewal dollars, that satisfaction is going to go up even higher. But it is time for the residents to see more results from the urban renewal and the best place to start is with paving streets. So, people, you know, this is basic to a neighborhood, and basic to a city. Unfortunately, we are not able to this in other parts of the city in some our outlying neighborhoods but because the residents were able to put aside their distrust of the city, and willing to go along with us in urban renewal, we are going to be able to pave 25% of 7 miles at a rate that's much more discounted than other neighborhoods and low income folks can have 100% deferral. This is the way that it should be. And it was a combination of the residents' willing to do this and the city. So, I heartily support both of these. I want to give a special kind condemnation -- condemnation, credit to david. He has had a lot of patience out there. I did go out to the urban renewal meeting that was referred to and the citizens are great. They want to make sure that they are making the right decision with tax dollars. They want to make sure that people are involved in the decision, and some are afraid to make a decision. So, it is time to start moving. Because residents are -- the wage in lents is about the lowest in the city. And some young people are moving out of that neighborhood because of the livability factors, and you can't wait any longer, so that's kind of the message I did deliver. I am glad that some people actually heard me. More heard me than I realized. I have gotten about 20 e-mails since then. So, I look forward to continuing to work with lents, but this is a great first step, paving the streets. So thanks. Aye.

Saltzman: Well, it is, indeed, satisfying to see some very tangible improvements, other than lots of meetings going on about urban renewal, it is nice to see some tangible public improvements resulting in all those meetings and it is nice to see that there is a lot of support for these modest but important investments in reducing that inventory of unpaved roads we have on the street, seeing an lid process now that provides certainty to property owners upfront as to what their obligation or cost obligations will be, and it is nice to see pdc being able to step in an area where it is probably very necessary to have some sort of a public subsidy to help this investment really be palatable to the property owners who are really affected. So good work to everyone, and I hope that this is, as I said, the first of many real investments we will start seeing. We have seen, god knows we have enough meetings going on that we need to have more investments like this coming out of all those meetings. Aye.

Sten: Well, the commission has been very eloquent in what they are saying so I won't repeat it all, but this is really a great moment, two things, the re-engineering of the lid process and the urban renewal district. Two things which were very difficult to put together, have teamed up with wonderful citizen involvement, do something -- what could be more obvious than getting the roads paved in lents, and it is terrific. Aye.

Katz: Well, I am sorry that I was not able to be at the meeting. I had planned to be there. I sent commissioner Francesconi, who was going to go anyway because I think that you have labeled him

JANUARY 17, 2001

the mayor of outer southeast, which, of course, hurts my feelings, terribly. But he cares, like all of us care, and I need to say something about all the meetings. When you go into a community that has had really a lack of trust with the city, and for good reason, all these years, you aren't going to go in and say, here, folks, here is an urban renewal district, here is all the money and this is what we are going to do to you. We didn't do that in lents, and the reason that we are moving ahead is because it took how many, two years, if not more of meetings and discussions, and it still is not all revolved. There are still residents in lents that feel very nervous about our involvement, and if we are to be successful, I think that it is important that at least a large majority of the residents of the community that we are going into support the investments that we are making and help make the decisions as to what that money is going to buy, which is really what, what lents has been doing, and I have followed the results and the outcomes of your meetings, and there is still work that needs to be done. I say this because as we are looking at other parts of the city, we need to move very slowly in areas that have really feel very uncomfortable with the city coming in, just because of the fears that they have had, whether it is with the county in history, with the county or currently with the city. So, thank you for your patience. Those residents that have been involved with the long-term process, you need to be vigilant about coming to the meetings and making sure that we listen to you, but also making sure that we move ahead, and we are beginning to do that and that's really very exciting. In fact, I think that I am going out to the lents center today because I wasn't able to -- is it tomorrow? Tomorrow -- well, yeah, I think I am going today but for another reason. Because I wasn't able to come when the, for the ribbon cutting. I was able to be there for groundbreaking but not ribbon cutting. I am pleased to vote aye on item 66 and 67. **Francesconi:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. All right. 51. Come on back to us.

Item 51.

Katz: I guess I apologize, I thought that maybe somebody would want to know what we are doing out here after a long, long period for very obvious reasons, and so I took it off the consent agenda item, and ron, why don't you explain to the council what this is about.

Ron Bergman, Interim Director, Bureau of General Services (BGS): Sure. Mayor, commissioners, ron bergman, general services. This item is to authorize the mayor and the auditor to approve a contract for the construction of a permanent mounted patrol unit facility adjacent and part of the centennial mills project, funding from this does come from the tax increment district funded by pdc, and so the urgency here, we are still in the process of reviewing the bids that we received. They are excellent bids that we received on it, so once the determination on the lowest responsible bidder is made, this authorizes the mayor and the auditor to sign a contract.

Katz: And the issue of the appeal has been, has been dropped, so we are clear to go?

Bergman: Right.

Katz: Okay. Questions?

Francesconi: Since you are here, ron, just one question, this has been around a long time, and you have done a lot of work on this, this has been a tough issue --

Katz: Actually, it has been bruce alan.

Francesconi: Yeah, bruce deserves credit, but I think david worked on that before that. But the operating cost, not of the facility itself, I have forgotten, are we okay on that?

Bergman: It is going to be a police bureau facility and it will come out of their budget.

Francesconi: And we have the money for that? It is all budgeted? Are we taken care of? Okay. That's fine. That's my only question.

Saltzman: I just have to ask, I guess, it is 1.6 million for stables, basically?

JANUARY 17, 2001

Bergman: Well, it is more than stables, it is the operating office for and work area for the officers. It is the supervision area, so there is more that's there than just the --

Saltzman: Of, relative of the 47,000 square feet, what's the split between sort of human space and animal space? Just for rough split. Rough split?

Steve Sivage, BGS: The space is half of it, 20,000 square foot covered paddock, which is very important to the police. They do not have a covered paddock where they are now.

Saltzman: That is the animal space, the horse space?

Sivage: Yeah. The outdoor training space and it is not covered now, and it gets wet and it is bad on the horses hoove's.

Katz: And it is bad for the river, too. A lot of the cost, commissioner Saltzman, I can't respond specifically, is to deal with some of the environmental issues, that have really held up this project for a long time to make sure that not only are the horses protected, but that we protect the seepage and protect the river.

Sivage: Yes, it is very close to the river, and it has to have a containment and drainage system that doesn't go near the river, so a lot of undergroundwork going on in the paddock, the grounds, and then there is the cover going up over the top of it that makes it a much better facility for the police that have been needing something like this for a number of years.

Saltzman: So where will the stormwater run-off seepage go?

Sivage: It will be bumped into the, the sewer systems. That run along the parkway there.

Saltzman: Okay. Thanks.

Katz: Anybody else want to testify on this? Roll call. **Francesconi:** Aye. **Saltzman:** Aye.

Sten: Aye.

Katz: This has been long and coming. I do want to thank bruce alan. I want to also thank the friends of the animals, friends of the horses, what is it? Oh, friends of mounted patrol. They have raised a lot of questions and have pushed us very hard, and a lot of their concerns, I think, almost all of them, other than a different location, we responded to, and I want to thank gayle kelly because this was one of our projects by the river, and originally, we didn't have 100-foot setback on this. I was closer to 50, maybe a little more than that, and we pushed bruce alan and pdc again and we are -- now we are able to say that we have a project that will meet our, our benchmark of about 100-feet away from the river when we build a project. So, this meets all the objectives. If you recall correctly, the reason for having the, the barn close to the downtown area is because of our commitment to get the horses across and over, if possible, to the east bank esplanade, and we will be using a variety of, either the atv or the horses for that purpose. So that was one of the reasons, besides which all the other sites that were looked at, with parks and everybody else, just didn't work. So, I know that a lot of people put in a lot of time on it and I hope that we can move the horses by next year. Aye.

Francesconi: Mayor, is it okay with you if I make a brief comment on the last thing you said?

Katz: We are finished, go ahead.

Francesconi: Parks it look for alternative sites. I know that there are people out there that wanted this in Washington park, in particular, so I just want folks to know that parks went back and reassessed this. I went back and reassessed this to see if there were any alternatives, and there just weren't, that wouldn't have interfered with other uses, or involve cutting down trees. And so, I just want folks to know that the mayor did, and parks, did look at alternative places.

Item 68.

Patrick Dinan: Thank you. I hope I can do it. I have a sore throat this morning. Good morning, city council, piac advisories and mayor Katz and our commission, I wish I could say this letter that she received was a first-time request, however it is not, piac and the iad file will show that there

JANUARY 17, 2001

has been close to 20 requests made since 1998. Close to half of those being cc'd to you, mayor. Many city departments have become aware and done nothing to correct issues at hand. The letter before you, and I believe you have a copy of it, is dated January 4. It is to Assistant Chief Berg, and as of today, in fact as of 9:00 this morning, there is no reply nor has a check been cashed. It says, I think thank you for your reply to my letter. Yes, I agree with you. This is a serious allegation, and it is substantiated by the file. I have noted your file of my files -- I have noted your review of my file in connection with the declination of Captain Smith to investigate himself for untruthfulness. It was reviewed by Shirley Karl. In your review, you found no exclusion order or any lawful instruction which deprived me of my rights to enter the northeast precinct to collect evidence for a trial. If I am in error, regarding such an instrument, I enclose a \$2 check, which has not been cashed, for your copying fee. This is to provide me with a certified copy of the Portland community police exclusion order directed towards me, as claimed, of course. If you do not produce a lawful exclusion order, then the general orders require an investigation. It is my understanding these allegations of member misconduct, which includes a possible violation, which will initially be treated as a criminal case rather than an IAD investigation. Criminal cases, bureau members will be processed according to the procedures of general orders 343. If there are any other possibilities, let's get together at city council. I invited her here. She did not show up. Under ORS 244, city council is described as a place to settle claims against the city. I intend to present this letter to city council today. Any questions, please address to me in bright writing. I will reply. Our police department has never produced a lawful order needed. This is to prevent my request for an overdue parental investigation. Please note that I have been told by reliable sources that there is no lawful trespass or exclusion order. If Captain Smith is here, let him stand up and tell all of us if there is a lawful, exclusion or order on record. Without that lawful order, there are officers who face criminal charges, as well as dismissal from the police force. What is stopping the city council from acting? Since this week we celebrated Martin Luther King's day, let me quote him from the corner of our justice building. In justice -- injustice anywhere is a threat to justice everywhere. At the other end of the justice building is a quote from Governor Washington, the administration of justice is the firmest pillar of good government. Council members, I take Mayor Katz's words seriously, when she told us citizens, aim higher, and be bold. This is what we citizens want from you. My question again, city council, and you, Mayor Katz when can we, as community partners, expect this body to respond and make our police bureau accountable for their actions in dealing with citizens, as well as my issues?

Katz: Thank you.

Dinan: I am fearful, as the evidence would lead you to envision, that there is more here than we citizens know about. I, for one, would not trust the IAD to investigate these claims. They haven't in close to three years.

Katz: Thank you, your time is up.

Dinan: I have one sentence left, please. Taking action today will encourage and help Portland residents trust that you will do the right thing.

Katz: Thank you. All right, everybody, we are adjourned until 6:00. Is it 6:30? All right. Let me just -- I thought a very good council work session, I thought it was very productive. Let me, again, ask all of you, because I've been thinking about it this weekend, where are -- where do we think that the trouble areas might, might be in terms of what we heard, and as we accept both of those reports, come back and let us certainly talk again to Gary because he's going to proceed and do the kind of -- the questioning of other agencies and other cities, but I think that's kind of the direction. Where do we think that there might be -- there might be problems, not perceived problems, real

JANUARY 17, 2001

problems and see if we can address those in a very focused and targeted way, and I think some of you made those recommendations to do that.

Sten: Would you like to have that discussion tonight?

Katz: No, keep that in mind, as we -- we will hear testimony from the majority and maybe just a few of the minority members. You may hear testimony from a large public segment. I don't know that. But keep that in mind as you hear that.

Francesconi: Is gary going to give the report --

Katz: I am going to -- michael, michael, we are still on. Do you know if gary began doing some of his, his work since the work session?

Michael Hess, Examiner, Police Internal Investigations Auditing Committee: I know that he's -- he attended our meeting last night, so he has been doing work, but I don't know exactly.

Katz: Okay. I will double-check, and get back to the council on that. All right. Everybody, 6:30. At 10:27 a.m., Council recessed.

JANUARY 17, 2001

6:30 PM

Item 69.

Katz: Thank you. Let me, because many of you were not here when we had the work session, I thought that we had a very productive work session with representatives from both the majority report group and the minority report group sharing with us some of the elements of the report and the reasons for their recommendation and the council had an opportunity to ask some questions, and what I would like to do now is bring our city auditor, gary blackmer, up to the mike, because as we discuss this with the council, there were recommendations for some additional work that they wanted gary to take on before the council was going to make any decisions. For those who are watching tonight, we will accept both reports. My hope is that -- that's what we usually do. But the work is going to occur afterwards, and I want you to hear what gary is planning to do and the time line. Gary?

Gary Blackmer, City Auditor: Good evening, mayor. Commissioners. Gary blackmer, city auditor, my job as city auditor is to find ways to improve city services through better services, through reduced costs for the same quality of services. And I am approaching this problem with the same attitude, that this is another opportunity for me and my office to look at the provision of services that will help improve the police bureau and figure out the strategies that we can put into place that will actually result in not only short-term, but long-term and continuing improvement in the services that citizens receive from the police. So, just in short, what we do normally in audits, and what I would like to do in the coming months, is to examine what is working and what is not working here in Portland. To look at all the alternatives that are out there in terms of different systems, what's going on in different cities, best practices, what the research says, and then find the best system for Portland for investigating citizen complaints, and more importantly, I think creating a mechanism for long-term improvement, I think, in the police bureau. Just in terms of a general time line, these kinds of studies don't happen overnight, and taking the care to talk to people from different cities, and perhaps, even visit some of those cities and get a variety of viewpoints is going to take some time, so what we are hoping is that sometime in mid march, we will complete a set of recommendations, and I will be working with the mayor and with council members in terms of further input from them and make that open and public so that we can get more comments and have further counsel review of the proposals. What we will also do after that, is put together any necessary changes to the city code that will enact those recommendations that we made, and have a hearing to consider and vote on those code changes sometime in early may, and finally, have all these changes in place on june 30th or as soon as possible after that. So, that's just a general view. So I am really here this evening to hear and listen to what the problems are that we have with our current system, and I am -- I will here for the duration.

Katz: In addition to that, I want everybody to know that the council has asked gary to take a look at the san jose model and the san francisco model, as well as the model in minneapolis, and whether we sent gary out there or not or whether it is done on the phone or however, he will make that decision, and then also, I think the council wanted some recommendation on -- improvement on mediation and some of the elements that you identified. Okay.

Francesconi: Gary, I don't think I gave this to you but I want to give something to you. I just distributed a memo to the council, and I am going to have a couple of copies here if anybody is interested.

*******:** Is this it?

Francesconi: Yeah. And I guess I wanted to be clear, my position has been reported as to what I thought should happen, and I wanted to be more specific about what I thought the goals should be, what I identified the problems to be, and what I think are some of the solutions to strength the investigation process -- to strength the investigation process and strengthen the council's role in this, and to strengthen piac and the role of the police chief in terms of this, on accountability. So I have

JANUARY 17, 2001

given that to you. What I would like you to do is analyze in terms of your research. I, too, want to listen. I, too, want the benefit of your investigation, but since the mayor asked to us flag some things, I also wanted people to know what I was thinking ahead of time.

Katz: Okay. Thank you, Gary. Let's have -- what did we decide, three or four representatives from the majority report? Three. All right. Let's have the three representatives. We will reverse it because we had the minority report first, so let's have -- at the work session. Let's have three representatives from the majority report. I am going to give you enough time for you to do what you need to do to report to us, but when I give you the nod, you will understand that's -- we have a whole body here that may want to say a few words. Okay.

Darleane Lemley, League of Women Voters: My name is Darlene, and I am here representing the legal women voters of Oregon -- of Portland. A fundamental basis for legal women voters' positions is that all government departments and bureaus be responsible and held accountable to the citizens they serve. The league has been involved with the issue of police oversight since 1982, when I represented the league on the original committee that created PIIAC. At that time, we saw a way to assure citizens that allegations of misbehavior by police were conscientiously investigated. Some of the committee felt that some sort of a civilian review board was needed to oversee these investigations and its dispositions of complaints of police misconduct. In working for a compromise, we created what was then a new concept, an auditing committee to review the police department's investigations of alleged misconduct by its members. While a few of the committee expressed doubts at the ability to police themselves, we went along with this new idea. Over the years, changes have been recommended to PIIAC. Requiring quarterly reports, adding mediation, requests for fewer leading questions asked in interviews of complainants and witnesses, more thorough investigations, more timely investigations, some of them have been implemented. More have not. In the 19 years since PIIAC was created, two things have become evident. First, PIIAC does not have the confidence of the public. Police need trust and cooperation of the public to make community policing effective. Without a system that looks at alleged police conduct, impartially, no matter how infrequently it occurs in the public's -- it occurs, the public's faith in the police bureau is eroded. Secondly, other cities have created successful civilian review boards that have independent professional investigators, investigating allegations and misconduct. Our majority report outlines several of these systems, and one of our majority committee members, Diane Lane, has done a remarkable job of researching these other boards and commissions. And I would ask you to refer to her questions about them. I would have to fumble. She had it at her fingertips. The public does not have confidence in PIIAC as it is currently structured. The recommendations of the majority report ask you to, first, give PIIAC the authority to hire and review the work of independent investigators who investigate allegations of misconduct by police. Investigatory findings would be acted upon as appropriate. Second, give PIIAC the right to review and comment on investigations of death -- people in custody. My people and that of the people who wrote the majority report, that tweaking the system will not produce the trust and confidence needed. We must have a major change in PIIAC structure. We can build cooperation required for effective community policing by adopting the recommendations of the majority report.

Alan Graf, National Lawyers' Guild: Concerned citizens of this community, Mayor Katz, Commissioners, my name is Alan Graf. I represent the National Lawyer's Guild and the majority group of the Mayor's Task Force. Thank you for letting me speak with you today about a very important topic. Democracy. Democracy, in its purest form, is a manifestation of love of the people, to create a society of the people by the people, and for the people. We are here today, in part, because of the work and love of the NAACP, and the concerns of our African American community here in Portland. Back in late 1999, I was invited to a meeting of our reasonable committee member to help the committee address the concerns about racial profiling about the police in their community. I read stories of African American students being stopped five to six times in one week on the block where they live because of the color of their skin. Listening to those stories, I couldn't help wondering, as a Jew, as a German Jew,

JANUARY 17, 2001

whether we would put up with the situation if it were jews that the police were stopping. Historically, as a city and state, we have addressed the problem of racial profiling, by forming one committee after another. Committees that never seem to take any real action or make any real changes. We need to do something other than travel down that worn and frustrating road. From those meetings with the naacp, we formed a coalition and resolved to go out to the greater community and see if the community supported the checks and balances that we believe would make a difference in the problems that we faced. The community responded. We met with 30 ministers of the ecumenical ministries organization, and unanimously and enthusiastically, they agreed to support our plan for an independent civilian review board. The ministerial alliance joined, as well, and the legal women's voters, students, leaders of the community all said the same thing, we need to hold our police more accountable if we want to adequately respect the rights of all of our citizens. I woke up this past monday morning, and the day we celebrated the great works of our national hero, martin luther king, jr., To read an editorial in the local paper that urged the council to support an independent civilian review board as recommended by the mayor's task force. That paper is not the Portland alliance, although it could have been. That paper is the Oregonian. Mayor Katz and respected commissioners, the community is speaking to you from all walks of life. And is here to speak to you tonight. Portland is a great tradition of being an oasis for democracy and in keeping with that tradition, I must say that I am proud of you all for recently passing the transgender, trans-sexual protection act. Let us stay the course. What we are asking you to do, I understand, is not an easy choice. It will take courage to make the right decision. But, as you ponder that choice -- Know that by your choice, you can make history or you can let history pass you by. Which will it be? Thank you for your attention tonight.

Bruce Broussard, National Association for the Advancement of Colored People (NAACP):

Mayor Katz, council members, my name is bruce, and I am representing the naacp. I am second vice president and chair of the legal redress committee. First off I want to commend the mayor. I really do want to commend the mayor because as she had the vision and insight to put this task force together, an issue that has been troubling us for a number of years in this city, so I want to commend the mayor for putting this task force together. We didn't select ourselves. The mayor did. So, we really appreciate that. We really do. So thank you again, mayor. What I have done is I have taken the opportunity to hand you out a resolution, a resolution that, that talked to issues that concerned african-americans throughout these united states. Resolutions that were pretty well laid out at our annual convention, which, which was in july, which was held july 8th through the 13th, 2000, in baltimore, maryland, and ratified on october 2 1st, 2000, by the board of directors. If you will notice on page 2 and 3, it talks about the issues that we are trying to, hopefully, bring to our city and resolve. The local chapter of the naacp is very consistent with the guidelines that were laid out in the resolutions. I will just read one excerpt from it, and it is talking to the independent review board. It says, be it finally resolved that the naacp requests establishment of citizen police review commissions, commissions having powers, duties, and responsibilities comparable to other human relations' commissions already existing in some jurisdictions. And that all units take an active role in addressing this issue. And that's what we have been doing here locally. And now what I would like to do is that I know that you are very familiar with both of the reports, both majority and minority reports, and so I would just like to get down to the majority vote, I noticed the people have spoken. The Oregonian has pretty well gone out in favor with the citizen review board, the minority newspapers, the asian reporters, the hispanic newspaper, and the african-american newspaper all support and are in favor of an independent review board. I would suggest that, I think here is an opportunity for us to take an opportunity to, to, that we should take here in the city of Portland, and what I mean by that, is that I am saying that maybe we might want to call the community policing citizen review board. We need a new name. I realize piiiac is here, but the bottom line is that I think we need a new name. I think that that would help resolve, if you will, and maybe get us going in the right path. I think that we all are, quote, law abiding citizens for that matter, but some of the things that I think that we could do with this new group, if you will,

JANUARY 17, 2001

first off, as chairman of this new group, I know of no -- I know of only one person in this city that can chair a group and bring us together, and I am talking about tom potter. If anybody can bring us together, and on both sides of the aisle, very professional police officer whose been in this city, he, himself, brought in the whole issue of community policing to this city. He's very familiar, and he looks like us, in all due respect. This way, he can help out chief mark kroeker in good shape. There is a point that I would think that some of the things that we could use to take the opportunity with this new advisory board, is that we can clearly, for once, start educating the public that they are policymakers through you. As far as the policies that are going to be enforced by the officers. That's an area that we have been very confused with. The officers, in this city, are fine offers in their own rights, but the fact of the matter is, they clearly need to know that they are policy enforcement officers, not policymakers. And I think that we can take the opportunity to do something about that with this kind of a -- with this kind of a makeup, if you will. So I would encourage you, like my other, if you will, champion on this task force, and I have got to recognize her, I am talking about diane lane. She's a member of the naacp, and she did a heck of a job with that research, and I really commend her, and by the way, representative jo ann bowman is not here tonight, but she also is a first vice president of the naacp and she is in salem doing these other tasks, but she, again, sends her support for a citizen review board. Thank you very much.

Katz: Thank you. Questions? Okay. Let's have our representatives -- thank you, ladies and gentlemen. Of the minority report come on up.

Tom Johnston, Citizen Crime Commission: My name is tom johnston, and I am a member of the minority group. And also a representative of the citizen crime commission here in the city of Portland. Mayor Katz, commissioners, I thank you for your time and you listening to our position. We are going to try not to be redundant because I think that the speakers last week did a fine job of giving an overview of our position, but I do remember one question that was brought up that I do not think was answered, and that is, what is wrong or what is broken with the existing system? I am not sure that you received a clear answer, so I would like to kind of concentrate on two concerns, you know. We went through the whole flow chart of the existing piii system. And we were able to be critical, almost, of every step and look at improvements of those, some are major, some are minor. Two of the major ones, the current complaint process that's in place is not working. People in the city of Portland do not know how to file a complaint. They may be reluctant or afraid to do so. Or they may have the opinion, why bother. Second point, the length of time of the investigation in the past of being 18 months plus is unacceptable. Further, during this period of time, little or no communications with the involved parties. Imagine the anger and the frustration of the reporting party plus the stress of the involved officer, just to be in a void during this period of time. The minority report addresses these areas of concern in their first ten recommendations. Although I am sure that most of us have read those, I would just like to briefly go over them. The recommendation number one, in addition to the various precincts, complaint forms should be available at public service organizations. A more friendly way to receive the complaints. Public meetings should be held throughout the city to explain the function of internal affairs, and of piii. The city web pages should be redesigned to allow the following electronically. There should be a dual intake system to allow piii to accept complaints and/or assist these individuals in the filing of the complaints. And fifth, aid and piii should provide training for volunteers to assist in the filing of the complaints. These five -- first five recommendations will make the system more user-friendly and receptive to the people wanting to file the report -- the report of complaints. Item 6 addresses aid, internal affair investigation, should be completed within 90 days, three months of, as opposed to the 18 months it has been in the past. Disciplinary decisions should be issued promptly. During the investigation process, every 30 days, which hopefully, would be twice, communications should be given to the complainant and the officer involved. The captain in charge of aid should have at least one year of investigative experience to supervise his, his investigators, and tenth, the police bureau should adopt performance standards for internal affairs,

JANUARY 17, 2001

resorting accountability for both captain and the investigators to internal affairs. The remaining 12 recommendations go on to address other issues to reform piii, but I believe that the current complaint process and the time to complete the investigation has created the situation that's brought us here this evening. I thank you for your time, and your acceptance of our minority report.

Sgt. Robert King, Police Bureau: Mayor Katz, good evening, council, and my name is Robert King, I am a sergeant with the Portland Police Bureau. I am the Portland Police Association president. The two proposals that are before you, and the different reports, one recommends discard of the -- discard of the current system while the other speaks to improvement of the current process, as the representative of 950 officers, sergeants, detectives and criminalists, I know that we favor an improvement in the current process. We want a system that's fair to our members. And a system that reviews the conduct of our officers is serious. We believe that this is a process that's best left in the hands of law enforcement professionals, and piii with meaningful reform and change. Oddly enough as an association, we are in agreement with the police bureau as it relates to the needed improvements in our current system. Last week, at the council informal, I liked what the city auditor, Gary Blackmer, had to say. He said that the process ought to be accountable to the public and that it ought to help the bureau improve. I think that the current system with those changes and improvements accomplishes both of those goals. What was really impactful to me was a statement made last week at the council informal that there is the belief that strong internal management setting expectations and holding people accountable is a model that's both in government and in business that's both successful and effective, proven, through history, through time. In that model, you do not remove the essential functions of management and turn it over to outside civilian employees. We have heard this evening the concerns of members of the majority as it relates to their perceptions about the trust and the confidence of citizens and the police. We have, as police officers, a concern about the confidence, the trust, and the faith that the community places in us. We do not agree with them, however, that there is a lack of trust. We work each day throughout the city, day and night, and in all different parts of the city in a variety of capacities and we see Portlanders, we see them each night. We see them firsthand. And we know, as we respond to their calls for service, that they do, in fact, have a faith. They have a confidence. They have a trust in us. This last week in the council informal I heard three members of the majority say different things. One person believed that the community policing has suffered with -- without Tom Potter. We have heard Tom Potter talked about a couple times recently. Although she did say, and I quote, "we have a good police force." She believes that there is a need for a change to hold police accountable. We believe that there is a need for a change in the process and the system of accountability. A second person said that there were problems with piii. We recognize that. We see that. We understand that. We acknowledge that. However, when she spoke, she quoted a city club report from 1992. There have been significant changes that have happened in piii since that time, and significant, and we think, important changes in piii here just in the recent past. We agree that there are problems but we believe that we are seeing the improvements and the kinds of changes that I believe that we need to have citizens confident in the work that we are doing. Another presenter said that he speaks with people in his office each day, he's a criminal defense attorney, who often complain about the police. I think most criminal defense attorneys you talk to in Portland will take complaints by their clients about the police. It was interesting that he was asked the direct question, what's the problem with the current system? And I found his remarks were unresponsive, which I thought was interesting because I would think that at this point, that any member of the majority group would be able to spill out clear -- spell out clearly what they thought was the perceived problem. Ultimately, these two groups, the minority and the majority, I think what we want is very much the same. I think we want a credible, transparent, and trustworthy process. I know -- speaking from members of the association, speaking for officers who work each day throughout the city, sergeants, and investigative sergeants, for criminalists, I worked with them for years. I know that we care about citizens and we care about the quality of the police service that's delivered in Portland. This issue, in particular, a significant sweeping change, a move

JANUARY 17, 2001

away from the model, from piiiac, to a review board will have significant, I think, and impactful consequences to us. We believe, as a group, we believe this is the wrong direction for us to move as it relates to community policing. We want a fair, serious, thorough, and high-quality investigation done. You will never hear any of us say anything differently. But we know that this is best left in the hands of law enforcement professionals. Last week you heard the presentations from both sides. You were able to ask questions. Tonight, you hear presentations made by, again, the majority, the majority groups, and you are able to hear public input. But in the coming months now, as you research alternatives, and as you consider what action you will take, we want to be a part of the solution. This is about our lively hoods. It is about our families. It is about our community. Thank you.

Katz: Thank you. Questions? Okay. We have got signup sheets for -- no, no -- I am sorry? Yes or no? Okay. I need, again, a reading of how many are going to testify, want to testify. All right. Let's start with three minutes and then after -- I will check in again and may change it to two minutes, depending on how many are left. Okay. Is that all right with the council or do you want to go two minutes? Let's start with three. Go ahead.

Craig A. Rogers: I am craig rogers, and I live at 11010 southeast yamhill street, Portland, Oregon. I appreciate the opportunity to speak here this evening. I think what I have to say is worthy of consideration. So, I only have three minutes, so you are going to come with me on my way to work. So it is a week -- I will speak fast because three minutes. So it is a week before thanksgiving. Last thanksgiving, it is 10:00 10:00 a.m. In the morning and I am going to pick up my friend I work with, ritchie, who i've been picking up for two months. And I have worked at coke cole for 28 years. So I pull into the apartment complex where ritchie lives and I do a half circle, and then I stop where he comes down the stairs, and I am minding my own business. Just a regular car pulls up with a male and a female in it, and pulls up beside me and asks if I am waiting for someone and how long. The person -- the gentleman behind the wheel looked likely like he wanted more information so I pointed to my coca-cola logo here, I am dressed in my uniform and work jacket, and I said, this is who I work for. Ritchie works with me, when he comes down, we are going to work. The door flies open, the gentleman pulls up his sweatshirt and shows me his badge, and says, I am a Portland police officer, and grabs his phone and threatens to have my car towed, and he was going to call the manager and have my car towed. And then he asked for my proof of insurance, and my driver's license and if I have ever been arrested. And about that time, ritchie comes down and yells at him to get back up the stairs. And then I am wearing a lot of clothes. I work in a warehouse, it is cold. I go to get out of the car, and he slams the door shut on me and says, stay in the car. Well, he finds out I am as clean as a whistle. He tells me, I am lucky that he's not a gang banger. And he goes to drive off and I ask his name. So, I go over to the commander of the east Portland precinct and I sat down with him and I told him the same thing I am telling you. And I said, I want to know if this is correct action, and if it is not, I want an apology. Well, I got a call back from the gentleman who was the commander and he is a gentleman. And he communicated with me what the officer saw. And what the officer saw was, when I pulled up in a half circle, that's drug dealer behavior, and that the car that I was driving is a car of asian and hispanic gang members drive. And I think that there is some room for improvement here. And this is the first time that anything like this has ever happened in my life. And I don't think that myself, or anybody else, should ever have this happen to them. And I really hope after this hearing, that you really consider what I have had to say. Thank you. [applause]

Katz: No, no, no, no. This is a deliberative body and this is a hearing. If you support what somebody says, raise your hand. But I will -- we will not sit here and have clapping or cheering or any of that kind of behavior in this body. And if it continues, we will clear the council. Chamber and will adjourn.

Damon Woodcock, Police Bureau: I am damon woodwok and I am a police officer for the city. In may of 1999, I was subjected to death threats by a co-worker in the work police, threats meant to intimidate and silence those -- I subsequently reported them from making those threats, I became a

JANUARY 17, 2001

victim of a work crime within the work police. This was combed by the bureau and subsequently covered up. It was only after I learned about it through and demanded a criminal investigation that they began the investigatory process. The report subsequently filed by detectives contained numerous errors, blatant lies by bureau members, misreported statements, and showed a clear lack of appropriate follow-up. I was not notified of the criminal deposition of the follow-up until October of '99, I spent the next three months on writing a letter for them to initiate an interim investigation when they mandate under such circumstances. It wasn't until after meeting with chief Kroecker that they initiated the internal investigation. During the course of my disability hearing I submitted portions of a tape recording telephone conversation I had with another officer. During this conversation, the officer clearly related his experiences to include not receiving appropriate cover on the street. Though he indicated he had no problem testifying about his experiences, he later had a change of heart, forcing me to submit the evidence and report the misconduct by using the tape. I subsequently became the target of false and retaliatory criminal charges in the state of Washington for the recording of that conversation for speaking out about the misconduct. At that time, the police bureau initiated a covert internal investigation of my alleged misconduct. On April 4, 2000, the police bureau received evidence exonerating me of any criminal misconduct and verifying the legality of the recording. On April 11, during the second half of my disability hearing, the falsified crime report was submitted as evidence against me being used to exclude the tape due to its alleged illegality. Every bureau board member voted against my claim. I was forced to hire a criminal defense attorney and spend the next three months defending myself against these false charges. All the while, the police bureau remained silent about the evidence exonerating me of criminal wrongdoing. I did not receive a disposition regarding the internal investigation until after waiting nine months and then demanding one. I have yet to receive notice from the police bureau of my PIIAC appeal rights. While being off on disability, I have had officers and a supervisor violate my personal space while responding to an attempted burglary at my residence, where they rifled through personal belongings in my bedroom. I spoke out in a letter to the wrap sheet after the May-day demonstration stating I had observed video footage of officers using inappropriate deadly force against nonviolent protesters. My residents was targeted for acts of vandalism and I was subjected to threats. If the police bureau is using the system to treat one of their own family members in such a fashion, you can absolutely believe that they are capable of doing so with civilians. I strongly urge you to implement all the recommendations and the majority report of the PIIAC work group. Thank you for allowing me to speak before you this evening.

Katz: Damon, don't answer it now but just because of the time and I want you to think, especially, you, to think through this, how the PIIAC recommendations and the recommendations they make would have changed the situation, okay. Not -- right, we correspond, so do that.

Dave Mazza: 1124 SE Rex, 97202. Mayor Katz, commissioners, I am Dave and am petitioner along with state representative, Jo Ann Bowman and Portland school district board member, Terry Jackson to the PAC 2002 ballot initiative for an independent civilian review board. When the mayor's PIIAC group work was being organized, PAC 2000 turned down an invitation to participate in the process. We felt at that time that the process would not produce the reforms necessary to curb police misconduct in Portland. We observed the work of this group over the past seven months, particularly that of the so-called majority group. Today we have to say that we underestimated the tenacity of many of the individuals in the majority group and that the recommendation for an independent civilian review board that they present to council late last year exceeded our expectations. In fact, the majority proposal is very close to the model we put forward by PAC 2000 and its successor, PAC 2002. Close is not enough for where we are today in Portland --

Katz: One second. Somebody is leaning on the lights. Okay.

Mazza: Close is not enough for where we are today in Portland. The failure of the majority group to include in there --

*******:** The guy is fixing it. [laughter]

JANUARY 17, 2001

*****: Maybe it is a power outage.

*****: Thank you bpa.

Mazza: Okay. But close is not enough for where we are today in Portland. The failure of the majority group to include in their recommendations for a review board the authority to mandate policy changes and to make the final determination as to when discipline is warranted, are fatal flaws. In the political climate we currently find within city hall, we believe it is absolutely essential the review board is given the tools and the power to act independently and effectively. So, where does that leave us? Our campaign believes it leaves us where we were last may. At that time, pac 2000 asked this body to adopt the initiative as an ordinance and get on with the real work of eliminating police misconduct and reshaping policing in ways that reflect our community values. Seven months have passed. The policing crisis has grown worse, not better. The time has passed to stand back and observe the impact of the laudable but inadequate changes chief kroeker made to address this issue. The time has passed to stand back and watch as if we were dealing with an exercise in political science rather than risking more citizen's lives.

Katz: Folks, please don't lean against the lights.

Katz: Somebody on that side? All right. Go ahead.

Mazza: I am ending up with a half hour testimony here. [laughter] The time has passed to settle for half measures that will slow the spread of community police misconduct creates. So the pac 2002 campaign invites this body to take the same action our earlier campaign asked you over six months ago, adopt the provisions of the pac 2002 initiative today, demonstrate to our community that your opposition to police misconduct is matched by your will to take effective action. And if you find yourselves unable to do this, then be advised that come may 2002, the people of Portland will create real police accountability in this city. Thank you very much.

Katz: Okay. Thank you. Charles ford is here, and I neglected, and I apologize the other night, charles, to introduce you as the chair of piiac. So will you please stand up? Thank you. Are there any other piiac members? Would they please stand up?

*****: They are already standing.

Katz: They are already standing, okay. Thank you. All right. Let's continue. Are you going to sing again, cathy?

Kathy Juergens: Well, I will if I have to, and I have got a verge repertoire, so don't make me sing. I am cathy, 3229 northeast 7th, Portland, I believe the police have this information since they have been observed surveilling my apartment. I would like to start out by saying, mayor Katz, this is what a public hearing looks like. There seems to be some confusion on that point the last time that I was here. Well, I do appreciate the fact that we are finally getting some public process around the issue of police accountability, I have to say that I am not overjoyed at having to be here. We are here to discuss a report that largely repeats what previous reports on this subject have already said, and we are here to debate changes to city code that should have been made years ago. I am not here to ask you to adopt the changes to piiac outlined in the majority report. I am here to tell you that a strong effective, independent civilian review board will be adopted in this city. If the city council does not do it legislatively, we, the citizens, will do it ourselves through the initiative process. Last year, we very nearly got enough signatures to qualify for the ballot in only eight or ten weeks. This time, we are going to have more than a year. It is going to happen. So why am I here to talk to you about adopting a strong, effective, independent civilian review board if it is going to happen anyway? Well, to put it simply, the five of you, or four of you, counting Hales, is five, the five of you folks get paid to make public policy. Activists like me have to do it in our spare time on top of the one or times two jobs we have to work to make a living. We give up evenings and weekend with our family so that we can organize against the misdeeds of the government and believe it or not we have lives and we are sick of this. I am here to tell you that if I have to spend the next six months out in the rain and the heat, gathering signatures, dealing with harassment by police and store managers, getting hounded off the

JANUARY 17, 2001

last few square feet of public space that we have left in this city just so I can do your job for you, I am going to be mad. And when we, the citizens, get mad, we get even and the place we are going to get even is not out in the streets, but at the ballot box, so you have been warned.

Patrick Norton: Good evening. I am patrick norton. And I live at 3229 northeast Portland. Northeast 7th avenue, that is. I am here to tell you that despite what your police advisors may tell you, a large portion of the population in this city are sick of broken promises and be laid action from officials. Mayor Katz, how long ago was it that you first promised to do something about racial profiling? How long has this town had a problem with police abuse of power and the lack of accountability? Did it start before or after the police chief stopped posing planned union forms back in the '30s? Or the police officers involved in suffocating dickey dowel received accommodations from the department for their behavior. Should we assume that the mayor believes the problem has ended, as a rational forks her inaction? Or should we assume that she had only just heard about it to explain the fact that after so much citizen outrage, she has just established a citizen work group to study the issue and finding its recommendations disagree with her view, now have yet another party study the problem to death and hope that either it or public outrage will go away. Maybe more reasonable to believe that the mayor has long known about the issue, but knew that as a part of the power structure of the city, she was not personally threatened by an unchecked police force, and had a vested interest in not rocking the boat. Certainly, her choice is -- choice for police chief and unflagging support for them when their contempt for the citizen was exposed, bears this out. After eight years of her leadership as mayor and police commissioner, it is still very dangerous to disagree with the police officer if you are poor, homeless, minority or politically active, especially on the left. Meanwhile, the city council has also mostly been sitting on their butts. Sitting on their hands, rather. Hiding behind the integrated division of responsibility in the city charter while pouring money and effort in other directions, some bad, some good, but not being so pressing or important as the issue so blatantly before you tonight. Make no mistake, police abuse of power trumps any other abuse possible in local government. No park maintenance worker has the discretionary power to arrest someone based on their base. No pdc planner has the power to violently disperse the demonstration of hundreds that he happens to disagree with. Nobody dies in the custody of the water department. Certainly, only the police department can and does get away with these, and more is in the works in the form of the joint terrorism task force, as a revival of the red squad, and we should have abolished years ago. Enough is enough. No more studies, no more stalling, creating an independent and effective civilian oversight board is just the beginning. And I think even after that is done, there is a lot more work to be done from there on. Thank you. Go ahead.

Tom Ustach: Mayor Katz, and commissioners, my name is tom, I live at 4230 northeast 68th avenue, Portland. I am the community outreach coordinator and member of the pac 2002 steering committee, and my extensive involvement and our attempt to create an independent civilian review board for police misconduct and as a member of the Portland community, as an army veteran and as a public schoolteacher it is clear to me that the Portland police department suffers from serious problems and leadership, discipline, and training. It tolerates abuse and misconduct. These problems are institutional and require an institutional solution. The police are officers of the peace, they are not soldiers, I am morally and spiritually cannot see any more of my community members, particularly many of my young students, treated as enemies and threats to our government. Like a soldier would view opposition forces or enemy combatants. I command efforts and recommends of the majority group for their work, but at the city, council does not take appropriate action by enacting an independent civilian review board by ordinance, our campaign will take the necessary actions by enacting one through the ballot. Strong action is needed now. Thank you.

Adrienne Ratner: PO Box 11176, 97211. My name is adrian, I think you will find my address in your police files and the fbi files, although I have never been arrested in the city. I speak for the police accountability campaign. I would like to commend the majority of the mayor's work group for their

JANUARY 17, 2001

fine report, I feel that it falls short in a few critical areas, namely, it does not grant the review board the power to investigate police shootings and deaths in custody, which are currently investigated only by the homicide division, which you may realize is where correction is most replete within the bureau. So I call on you, the city council, to adopt the majority report in full or better yet, to adopt our initiative, so I will leave that initiative with you now.

Katz: In your initiative, you recommend that piac mandates changes to bureau policies, practices, and procedures. That's a key point in the initiative, correct? So you will give 13 citizens the ability to basically direct the police bureau and its policies and procedures?

Ratner: It would empower the review board to repeal policies such as the joint terrorism task force, drug-free zones, racial profiling, yes.

Katz: No, would mandate changes to police policies and practices and procedures, anyone that you choose, so if we don't adopt that, you would go with your initiative anyway?

Ratner: Yes.

Mark Kramer: 520 SW 6th, # 1010, 97204. Good evening, mayor, and members of the council. Good evening, mayor Katz, and members of the council, nice to see you again. I want to amplified some of the comments I gave you last week as a member of the work group that produced the majority report. Commissioner Francesconi had made the point that if we are not expecting a tremendous difference in sustained rates with an independent board, why are we going through all of this effort? And the issue, in my mind, and in the minds of the majority members was process, credibility, legitimacy, and democracy. After listening to commissioner Francesconi last week, it made me think, well, why are we doing all of this, and made me think about the civil rights struggle and grand jury and jury presentations. For years, grand juries and juries would hand down indictments and verdicts based upon bias, noncredible compositions of the juries. Now, with the civil rights act we have grand juries and juries that are composed of, for the most part, a cross-section of the community. Is the process, is the end result different in perhaps, a little bit. We still have a vast majority of indictments coming down and a vast majority of guilty verdicts, but we now have a healthy process that people respect. That's the difference. We don't have a process that people respect. No matter how much tinkering with all due respect, mayor Katz, that we do with piac, with police reviewing, reviewers, we are never going to have a credible system that is seen credible by the citizens. I truly believe that after working on this issue, since 1982. I know that you are inclined to defer this issue to the auditor, take a look at what the committee has done, look at other models, tell us what we should do. With due respect, that belittles the months of tears that your majority has put into this. The hours and hours we spent on the phone with minnesota, with pittsburgh, with san francisco, with san jose, with san diego, we have done that work. Don't abandon that work. Yes, relegate to your auditor how to implement a plan, but you have the responsibility to give the auditor marching orders that there is an independent board, that there is civilian staffing, that there is mandatory cooperation, that we are embarking upon a new model, once you give them that paradigm, sure, we will work with him and he can do the work that's necessary so we prepare an ordinance, but to just relegate to him blindly, take a look at let us know, I think that belittles what we have done and really, ignores the work and the research that we have done, and I would ask you not to do that.

Francesconi: Mark, I don't want to debate this right now, but you and I can talk more later, first of all, I appreciate that you thought about my question and came back with that response. And I do believe that we need more civilian oversight and involvement, even, on the investigatory side. But let's use your grand jury analogy for a minute. The investigations done in those circumstances are done by police officers. The evidence is then presented after done -- the investigations are done by the police. Presented by a district attorney to a body of citizens, who don't go out and do the investigation, they just determine whether the facts are adequate or not. Which is the same analogy to this piac situation, where you bring in lay people to oversee this, but you don't have the lay people go out and do the investigation. So, I would -- say to you, that your analogy proves my point, not your point. You see?

JANUARY 17, 2001

Kramer: The critical difference, however, and it gets back to reviewing completed investigations of debts and custody, a grand jury is designed to look at things narrowly, did a citizen violate the law, and according to the district attorney, here we are having police officers investigate police officers. And we know from both anecdotal and real evidence that the turnover is tremendous. That officers really don't want to be in there, and no matter how much we promote the position, we will still have officers reviewing officers' work, and that leads to two things. One, folks, I deal with won't go to, to piiiac and won't go to iad because they don't think the process is credible. And two, no matter how much you try, you still are laden with the biases that you have from the job, your respect for other officers. There is a thin blue line, that's what the research tells us, that's what citizens tell us, that's what the anecdotal evidence tells us.

Katz: Mark, let me ask you the question, why in the majority report didn't you take the recommendations of pac 2000 mandating the citizens to provide -- mandating them to tell the bureau about policies, procedures.

Kramer: Because frankly, we don't think that that is a job for citizens to mandate policy. We think that citizens should recommend policy, and what we are doing in the other part of the majority report is recommending whether discipline should be imposed, not the type of discipline, and making a finding of fact as to whether general orders have been violated.

Katz: Okay. Because that seems to be a sticking point, and I wanted to make sure that everybody heard you, as a member of the group, I know you discussed that issue in the, in your work, did you not?

Kramer: We did. We had a lengthy discussion, and before that, the lawyer's guild and the naacp, as much as we agree with 90% of the in that case 2000 initiative, we disagreed with the mandatory, mandating policy, but we do think that there is a healthy role for citizens to recommend policy and a role for citizens to review deaths and custody and police shootings after the investigation is done.

Katz: And they can recommend policies now, there is nothing to keep them from --

Kramer: If you look at the narrow confines of the ordinance, there is some question. Yes, piiiac has that ability, but if you look at it, it is within their narrow audit function. I don't think a fair reading of the ordinance would support piiiac looking at choke-holds, racial profiling, how may-day was handled. Perhaps the council could clarify that, it hasn't been done, and I don't think it is clear within the current ordinance.

Mary Rooklidge: Good evening. My name is mary, 5406 northeast 31st avenue. And since I have an extra minute, I will introduce myself a little bit. I am a native of Portland, law abiding. Do not have a criminal record. Have never even received a ticket for a moving violation. And up until about two years ago, I really believed, rather naively, as chief kroeker now states, that the police can manage themselves. And when I had rise to file a complaint, it was not because I was stopped and ticketed. It was out of an incident in which I tried to gain access to a public record. And there were difficulties there, too. I wasn't able to get it. And out of that incident, I ended up, ultimately, filing two complaints. And I really did believe that they were complaints, while granted, not serious, were complaints at which the police would like, like they should, each and every complaint, and give them their due consideration. And I was horrified by not only the rather shoddy, and we can talk about that sometime, the shoddy investigation, because I was the last person to get all the records before the new law went into effect. I was not only horrified by the shoddy investigation, but by the advisory committee hearing, and I really felt at that time, and I still do feel now, that some of them really are not quite aware of their duty and that I even though the general orders better than they do. So I have three open letters supporting the majority opinion, with your indulgence. To the piiiac advisory committee, your duty is to hear appeals with a name to insure your procedural sufficiency of investigations. You failed miserably. You allowed them to exert improper influence over your decision-making process and routinely you uphold decisions based on substandard investigations where ia has clearly violated the general orders. Cases where, for example, conflict of interests were

JANUARY 17, 2001

apparent in the assignment of the investigating officer, like the recent case of the sergeant who was both investigator of and witness to the disputed innocent. These and other irregularities render the entire process suspect. To chief kroeker, how can I take seriously your statements going to the sincerity and superiority of police investigations when under your command, ia circumstance vents the very rules governing those investigations, and when I have taped interviews, showing that a captain, among other things, in his interview of an accused officer, misstates an allegation in a bumbling question and then allows the officer to interpret the allegation, reformulate the question, and lead himself. Mayor Katz, shame on you for stating that many of the complaints against police have very little merit. You are supposed to be an unbiased arbitrator in piiac appeals. Shame on you for summarily dismissing what you call frequent filers, is the fifth less important than the first, shame on you for assuming no changes in the current system would make appellants happy. Try giving the public the ability to serve the same support, deference and benefit of the doubt you seem to so freely accord the police. Thank you for your time. Let's go.

Richard Kroenig: PO Box 15045, 97215. I think I followed -- briefly, I am richard, I am a long-time -- I am a chronic complainer. I am getting better all the time. Practice makes perfect. As you folks know. Last october I proposed a study to determine the extent of city's wills to achieve police accountability. I read in the study, by commissioner Sten, asking for endorsement or maybe data or both, he mentioned waiting for this event tonight or this hearing, as possibly relating to his declination to endorse that study. I did get a, some significant data from him. I asked if he had ever read the city ordinance governing his duties as a member of the piiac. His answer, a crisp, no. Well, that was 20% of the city council that demonstrated no will to achieve police accountability. Erik Sten referred me to the city attorney for my next interview to collect data, and I was told there that you must be asking for legal advice, so we can't talk to you. 100%, ongoing. My data-gathering expedition to city council on november 22nd was quite revealing. I was able to note that in response to growing community concerns, the city attorney that usually sits right there, actually started the meeting by reading the city ordinance about piiac, to you folks. Well, within minutes after being read exactly what you are to do and not to do, commissioner of police, mayor Katz, stated that she and her associates regularly act outside what she called the traditional scope of the ordinance that the city attorney just read. That completed my study of the city council's will to achieve police accountability, 100%. Some may conclude that the data suggests 100% agreement to willfully and perhaps, wantonly disregard the law describing their duty. But, there may be other possibilities. But, regardless of the reasons piiac disregards the current city ordinances, one has to wonder whether the best reform package in the world will help if there is no will to achieve police accountability. I want to ask everybody to take care with your time that you talk here, avoid repeating and build on the information of the other people that come before you. Consider reserving the balance of your time for city council to answer tough questions question, if police commissioner Katz tells you this is not the time for dialogue, ask her when that time is. When that time will be scheduled. If not now, when? Thank you.

Eric McClellans: PO Box 974, 97207. Emerik, and I am from southeast Portland and I am a carpenter and a family person, and I am very concerned about the state of the police in Portland. I have lived in Portland for only six years. I have lived in four other cities, and in my, in my experience here in Portland, the police target people, who are low income, who live in a certain neighborhood, who are out and about, whether in a car or on foot, or on bicycle, ascertain times of day I understand that they target people based on skin color, and I think that that's terrible. And I have never -- my personal experience has been unmatched here in Portland by any of the other places that I have lived. And so I am -- I am here to -- I am here to, to let you folks know that I expect for you folks to accept and enact the majority report calling for a citizen review board. Thank you.

Laurie Chilcote: 12504 SE Stark # B, 97233. Good evening, mayor Katz, and distinguished gentlemen present today. I am lori chillcoat. I live in southeast Portland near 125th and stark, and I wasn't aware of this brouhaha going on until I -- until I read some articles in the paper but they seem

JANUARY 17, 2001

somewhat disoriented and focused. Until I attended the, on the 9th of this month, a meeting with the chief of police on martin luther king boulevard, so I am an amateur at this. I am just a concerned citizen. From what I have heard at both these meetings I concluded that piii is a life that has failed and it does need to be completely reconstituted and revitalized. I think that it is important that there be open lines of communication between all the communities that make up the city of Portland, and one of the things that I am fearful of is people obscuring the issue by finger-pointing. We could turn this into a, he said, she said, we said, they said, and nothing would be done, concretely. It is obvious a brand new tool has to be used and perhaps, as mr. Brusard suggested, it be given a new people so that people feel more comfortable at it. And with using it. And I think that extremes of this kind, where people are blaming, should be avoided because in the melee, we lose the purpose we are trying to find, which is to improve the tools we have to make sure that our police force is the best and the quality of life in our city is the best, and that all of the communities that make up this city are treated with respect. So, I want to thank you very much for hearing me out, amateur, though I am.

Katz: After the next three, what I want to do is give opportunity for somebody to, that would like to address the minority reports, since you don't have lists, because I am going to shift to two minutes and I want to be fair. And give people who support the minority report the three-minute time. All right. So dan, why don't you start.

Dan Handelman, Portland Copwatch: Okay. Good evening, city council, my name is dan and I am with Portland cop watch, our mailing address is post office box 42456 Portland 97422, and. I really appreciate the opportunity to be before you and support the majority report and be a part of the majority group. We have been working on this issue for nine years, I have personally, and our group has, and you have an historic opportunity in front of you to make a difference and do the right thing. And I have heard several things this evening. I would like to read all the recommendations that we worked so hard on, but there is not enough time, but I will point out that we have, in large flow charts, of how piii works now, a very confusing system that goes around the circles versus the review board that we are recommending which is very straight-line and had very simple to understand and you don't have to go through different layers. To get through it. I think that's one of the main things that makes our majority report very important. Also, I want to point out that the informal last week, there was a lot of talk about minneapolis and not enough talk about san francisco on this chart here. I heard you mention that mayor Katz, and I am glad you will be looking at that, too, because our report recommends a highway bred between those two systems. San francisco doesn't really have the citizen board component but a police commission and minneapolis doesn't do several things that we would lining to do the review board do. Including, including the review of cases of shootings and deaths in custody, and if you want to stop tender-box issues that could set this city on its edge, you should retract this, the recommendation to gary blackmer you made at the informal, which I am not sure if that was appropriate to make a decision there, but you should allow him to look into those, into how other cities where they do that because all we are asking for is for the review of those cases. We are not asking for the review board to conduct the investigations, just to make sure the investigations were done properly and the only time that piii has reviewed a shooting, they found serious problems with the investigation. So, if nothing else, to make the police bureau better, at doing those investigations and making sure that the community knows it is being taken seriously when somebody is injured mortally, you should make sure that that gets to be part of this system. In terms of some things that were said this evening, somebody mentioned that we -- a business, in a business model people do internal corrections within management. However, if that business is harming the community and they are not doing anything about it because they are still making a profit, let's say they are polluting the environment, they are not going to take action unless somebody from the outside comes in and makes them do it. That's the case for the police bureau, as well. When they are doing harm to the community, they are not necessarily going to take care of it from within because it might not be some - - because they are getting the job done. They are taking the riff-raf off the street, I guess, and I think

JANUARY 17, 2001

that it is important that we have an external review board, as was pointed out before, the police are different from other city bureaus, and I think that's why it is important for the city council to stay on top of the police bureau as a whole, even though all the other commissions are split up among other commissioners. I think that you should continue to act as piiac as a whole, if -- as a final repeal's body if you choose to have the appeal's element. I also want to point out the diversity of our majority group, we didn't really talk about -- there was a homeless representative on there who talked about how homeless people do not want to come into a city building, to file a report. I am hoping that you will take that into consideration. We had a member of current piiac, we had a former member of piiac. We had a person who's been through the system, and one of the people whose cases was overturned by chief moose after you voted a majority to find misconduct and we had a very diverse number of people working on this report. So thank you again.

Bonnie Tinker: PO Box 5163, 97208. I am bonnie tinker. I am the director of love makes a family ink and I live at 6243 northeast 19th here in Portland. I want to say, mayor Katz, I want to start by congratulating you on one accomplishment that is very rare among politician and is that is thaw appointed a task force to investigate a problem when you had a known position on what outcome of this investigation might lead to. It has been well-known that you oppose a civilian review board.

Katz: I never said anything about my position on this issue, bonnie, so please don't, don't misrepresent me.

Tinker: Been widely represented around town, that you oppose the civilian review board. What I think is amazing is that this task force you presented, nonetheless came out with a majority report suggesting that we need a civilian review board. So what I want to ask of you tonight is that you follow this task force, that you created and accept that voice from the people. There is an old saying that when the people lead, the leaders will follow. And I think this is very important test for this city council right now. There is -- this is a problem that has existed for at least 30 years in Portland. There is a clear request from the public, from the majority report here, asking you to take action to set up a citizen's review board, and the question is, who will be the leaders that will implement this and will make that real for the city. During the 30 years that i've been in Portland, I have seen real shifts in the relationship between the police and the public. When I arrived in the '70s, things were at a bit of a low point as a result of interaction with demonstrators, as you probably know, mayor Katz, at that time, when battered women called on the police, they got absolutely no support. At that time, gay people were still busily wearing three pieces of clothing of the right sex so they wouldn't get arrested. There certainly was no trust on the part of the gay people with the police. Minorities were tolerating very high levels of crime in neighborhoods, rather than calling on police. There has been an attempt to shift that. Piiac was created out of that atmosphere. There have been some changes. There has been some progress toward, at least, opening communication between citizens who did not trust the police and the police. Recently we have seen that going backwards, frankly, demonstrators do not feel that they can trust the police to get fair treatment. Gays, as you know, have had their trust seriously shaken, and not only in the police chief, but in the police commissioner. And once again, we hear the reports from the on racial profiling which indicate the things never did get better. People in the community I live in do not file reports, complaints, with internal affairs. Because they do not believe that they will have any satisfaction. We have recently heard chief kroeker asking us to trust him. What we are saying is it is time to trust the community. I was glad to hear the representative from the police union speak and talk about management practices. I think it is very important that labor be involved in these discussions. I also think that it is very important that we have a growing prison industry in this country. The police are not a business. They are not a part of a corporate structure. They are a critical part of democracy, and when trust between the citizens and the police break down you do not have the possibility for an active democracy.

Katz: Thank you, bonnie.

Tinker: I would like to ask you to --

JANUARY 17, 2001

Katz: Bonnie, your time is up, thank you.

Dick Bogue: 1139 NE Imperial Ave., 97232. I am dick vogue and I am here for two reasons tonight. One is my past association with the laurelhurst neighborhood association, which I was the past president and a board member for over seven years, I am not here speaking on their behalf tonight but I wanted to share with you over the years what I saw originally with the association, with community policing, I have seen the highs and the lows, I think when originally was involved with the association, I felt that we had excellent representation with the police bureau over those years. I have seen somewhat of a shift to what I call a good situation at this time. And I hope that it doesn't tend to go down any more. I hope that we get back to the days when we had a situation where we had excellent contact with the, with our place liaison officers, and community policing back to where I think it should be. The other reason that I am here tonight is to speak on behalf of an issue that I faced like the rest of the citizens, in the filing of a complaint or trying to follow through with an incident that happened in my neighborhood, approximately 14 months ago, my wife and my two sons, who were awoke during the night because of an incident that happened on the corner, the police had surrounded a man. They got him out of the vehicle, put him next to the curb, shackled him, and for some unknown reason, there was a vicious attack after this man was lying on the ground. We weren't quite ready to go outside because of the way we were dressed at the time but I put on my clothing to get outside as quickly as I could do that to try to get some names and information. By the time I got outside, there were about 11 or 12 police officers at this particular incident. It took approximately 12 months, five different police officers reporting to me, and I was trying to get some information back, the final report I received six weeks ago was there was no more information because the person couldn't be contacted that I saw viciously attacked for no particular reason. And in the same period of time, my son, would works approximately a mile away from our residence, has been stopped twice. This is the same young man that watched this attack and this is a kid that I am concerned about when he tells me that he sees something like this happen and dad, what's going on out here? You don't -- police do this all the time. He's telling me he's been stopped twice on the way home from work, and been told that he should do what he's been told to do by the police officer for no particular due cause. That's a major concern to me at this time, and I hope that you can look into this and make sure when people file these complaints or look into these issues, that there is resolution. Thank you.

Katz: Thank you. Okay. Let's open up the chairs now for people who support the minority report. Would you just come up and take the chairs since we don't have a dual list. Who else? Come on up.

Leo Painton, Police Bureau, Secretary/Treasurer, Portland Police Assn. (PPA): I am leo paint and i've been a police officer in the city of Portland now for over 23 years. And I currently am the secretary treasurer of the Portland police association. I would just like to go over a few of the issues in the minority/majority report that are agreed and disagreed upon, just to reiterate those, the majority and minority reports agree on five fundamental principles. Investigations need to be more timely and responsive, and I think that we have seen the police bureau is taking some action in that area already. Mediation needs to be a key part of making ppiac successful. It should be funded again. Ppiac needs more community outreach to make sure that the process is more transparent and the community better informed. A dual intake system should be established to handle complaints. This helps decentralize the complaint process and increase the ease with which complaints are made. More resources are necessary to do the job well with the current ppiac system. But the minority report disagrees with the majority report on three issues. Number one, Portland does not need a separate investigatory body for complaints. We have ample evidence from other cities that when supported, the audit system, like Portland has, works well. A separate body can be devicive in the community, breeding mistrust between the police and its citizens. Two, the place for the final disposition of complaints, rests with the chief and the police bureau. Three, ppiac should not have the additional authority to conduct investigations of deadly force incidents or death and custody cases. There are six layers of review for such incidents currently, including criminal investigations by law enforcement professionals from

JANUARY 17, 2001

outside the bureau, and reviews by the district attorney's office and grand jury. The work group heard no evidence that these layers of review are inadequate for determining the facts or providing adequate public accountability. The Portland police association supports the minority report. We believe the current system must be and can be improved. The five areas of agreement between the minority and majority reports are a foundation for that needed improvement. We must maintain the involvement of law enforcement professionals in the investigations. The city council, as Portland's elected representatives, should retain oversight of piii. Reinvigorating the role. Chief and the council in this arena will go a long way to strengthening the quality and timeliness of piii investigations and increase public trust. Thank you.

Carolina Hess: Good evening. My name is Carolina Hess, I am the chair of the Portland police, hispanic advisory council, and chair of the hispanic services roundtable. It is a fact that Portland police is now going to disappear, is going to be recreated and a fact that both the citizens and government will depend in an important institutions, it is lawsuit, therefore, it is very important to give an opportunity to the Portland police to recuperate the public trust that is necessary for the enforcement of the government and livelihood of our communities. It is also necessary that, for citizens, and law officers to work as partners for the improvement of life in our communities. The -- it was hard to examine both types of model says and what's also hard to give advice to both groups that were going to review, that piii does work. Time is money, efficient, and is efficient, if it can be strengthened by giving it more force to hold them accountable for timeliness and all of that, concerns that you have been hearing about, it just needs to be made stronger. The right thing would be to strengthen piii as long as possible to make them -- stronger to enforce the issues of accountability, timeliness, thoroughly, fairness, with investigations of the -- that the public is demanding. Also another step would be, removing the intake from the iad, and moving it to piii, that would create a process that would be less intimidating for a person who does not want to go to a law enforcement officer or law enforcement building for any reason. The intake process also needs to be, bicultural and bilingual, with our spanish and english, and also needs to provide a suitable mechanism for constituents where this franchise communities are not english speaking in other languages. And finally, it is only right to recognize the many officers and are and want to be the best for our communities. They only deserve for us to give them the chance to show what they can do for our communities. Thank you.

Officer Peter Simpson, Police Bureau, Vice President, PPA: Mayor Katz, commissioners, my name is officer simpson, with the Portland police bureau, represent the gang enforcement team, also vice president of Portland police association. You have heard some grandios tales tonight of rampant police abuse. Some of those stories, you might believe that police officers routinely and as a matter of practice conspire to violate the rights of the citizens of the city of Portland. I've been a citizen of the city of Portland my entire life. I am a second generation police officer. So I have a different view on a lot of these things. In my seven years as a police officer, I arrested hundreds of suspects. I have written hundreds of traffic tickets. I can only think of a few occasions where the person said, officer, you are right, I did run that red light. Thank you very much for issuing me this citation. I deserve it. I can think of only one occasion where a person said, officer, I am really sorry that I fought with you. I deserve to be taken to the ground and I deserve to be going to jail for beating my wife. It simply does not happen. A lot of people that we deal with do not want to be dealing with us. They do not want police presence in their homes. They do not want to be stopped on their way home from work. But by the nature of our stop, which is law enforcement, that is what we do. When the law is broken, we respond to that. And if it is appropriate, we enforce it. So, I implore you to understand that while some of the people would say that these complaints of disparate treatment, racial profiling, police brutality, abuses, are rampant and common-place practice in the city of Portland, I would warn you to be careful of believing that. Many of the people that complain, complain because they don't like to be arrested. They don't like to get traffic tickets. As a police officer, I don't like to get stopped by the police, and it happens. It is a simple fact of life. I've been to internal affairs as a suspect. I've been to

JANUARY 17, 2001

internal affairs as a witness. And when I read these complaints oftentimes I have to laugh because some of these grandios complaints about what we have done. More often than not, they are perceptual problems of why we did something. Why we took somebody to the ground. Why we made a traffic stop. Why we talked to somebody the way that we did. We do need to improve our communication as a bureau. We are constantly looking to improve that as officers. I would encourage you to look at this minority report, recommend some changes, about stay away from the majority report and keep the power of the review in piiac and the police bureau's hands. Thank you.

Francesconi: Sir, if I could ask you one question, I agree with much of what you said. I would venture to say that the authors of the majority report agree with much of what you said. But there are occasions where that rare occasions, we can say, that where that doesn't occur. So my question to you is, so you heard somebody testify tonight, I believe creditably, an independent witness now, who observed something -- that observed something that happened, and I guess, what is your recommendations as to how the investigatory process can be strengthened so that independent witnesses are interviewed and even if you can't find the complainant, where you have an independent witness, there has to be a way to pursue those and make sure that that's done professionally. Because we have heard several cases frankly where I have been up here and independent witnesses have not been contacted. I guess leo, I was out, you might want to address this. You may not want to. But go ahead, sir.

Simpson: And if you are referring to the one gentleman who just spoke a few moments ago about the instance that happened in front of his house. It does concern me. When I hear stories about police officers beating somebody senseless, it does concern me. I have never done that, I would never do that, I would say that the vast majority of police officers have never done that. In something like that, you have to consider whether the person saw the entire incident from the beginning to the end, saw the person stopped for whatever reason it was. Saw the interaction. Saw the handcuffing. Whatever, whatever may have happened. When you only see part of an issue, it is very difficult to make a valid, fair judgment on what happened. We are human. We are guilty of seeing only part of something and believing that to be the whole truth. I don't think that in, those instances, perhaps, again, improving that communication with that person. I don't know what his response was from the police bureau. Perhaps giving him the testimony of the officers, perhaps giving him the copies of the general orders of why someone would do something. Why an officer would do something to a person only in these certain circumstances, and perhaps, that's what he saw this part of it but not the beginning of it. As I said, we do need to improve our communication with the city of Portland. It is a constant learning process, and sometimes city governments are probably the slowest to respond to the changes that need to happen.

Katz: Thanks. Thank you. Three more chairs have opened up. For the minority report. Who else wants to testify? Come on up. We are going to do one more round for the minority report and then we will go back and I think that we will shift for two minutes.

Scott Westerman, Police Bureau: Good evening, mayor, commissioners, I am scott, and I am a police officer for and a resident of southwest Portland. I don't have a prepared statement to make, and I am very new to this. I am here primarily because in the majority report, a case involving something that I was involved with was mentioned as a reason for the necessary coverage of police-involved shootings. Mr. George Waldem was a gentlemen who I had an encounter with and he was shot to death after threatening me with a shotgun. The majority report uses that as a quote from the Oregonian, as a reason for needing oversight of police shootings. The Oregonian, the day of the shooting, started their investigation for news reporting. In their contacts, they contacted a person who was a client of his, who had not had contact with him in years, was not at the scene, had no knowledge of the scene, no knowledge of his behavior, and no knowledge of the problems that occurred prior to my arrival at his location. I had no knowledge of those problems, either. This person said that he could not understand why the police would use excessive force in having to subdue mr. Waldem who

JANUARY 17, 2001

came at me with deadly force. I can understand his point of view. If I was mr. Waldem's son, I would want to know why the police killed him, or if I was his neighbor, I would want to know why it happened I am still trying to find those answers. Putting, as mr., I don't know his last name is, mark, who was sitting in this chair here said that the civil rights commission came up with a jury commission that we have now that is trusted and the reason is because its citizens that are in the neighborhood, he wants to put that authority into the hands of 13 biased persons who, based on, and I do not believe that everybody who believes the majority report is anti-police sentiment but a lot of the things that I have heard here are. There are many people who feel that absolutely no matter what happened with my shooting, that I was wrong. The overwhelming evidence from everything, from aging services who was trying to help this man, to his neighbors, who were trying to help this man. To everybody who was involved and in the know, knows that this was a degradation that was a tragedy. I, unfortunately, had to be a part of it, not me, somebody else, the next day, next week, maybe the neighbor, maybe the cable person who was threatened before me. My point is I strongly encourage you to keep the six levels of review for deadly force encounters the way that they are. Do not put them into the hands of biased citizens who are, based on what's been testified to here, many of which are very, very illinformed. Thank you.

Bob Ueland, Portland Internal Investigations Auditing Committee (PIIAC): Good evening, mayor, and commissioners. My name is bob yulland and I am a citizen member of the piiac auditing committee and I wanted to speak tonight for a minute or two just to assure the citizens who may be listening or watching, and are in this room, even, that this committee is functioning. We meet every month. And you have -- there is quite a turmoil going on, and we continue to do our job. We handle 31 cases this past year, that's a little over two a month. 32 appeals. We also have audit ed, in addition to auditing the cases that are appealed, we audit the other closed cases that occur at iad as they are closed. Those are cases, some of them have been declined. Some cases where they were sustained against an officer. Some cases where they were found to be unfounded and a letter is sent to the complainant, who does not choose to appeal. We audit all of those. And what do we audit for? We audit for the elements of an investigation. Are all the papers there, the reports, the tapes, of the interviews, are they audible? We look for the photographs, in cases where force is alleged, intake photographs, of the people who were making the complaint, which are done at the jail as they are taken in. That type of thing. We evaluate the quality of the questioning that goes on. And at the end, we have -- we also look at the general orders that apply to this particular -- these particular charges, in an instance, and see whether or not we agree that the charges that were investigated were proper, based on the circumstances, and that the conclusions, if we agree with the conclusions. If we don't, we do send them back. We are doing all of the other cases are closed, too. We are 13 members, six appointed by the council, commissioners. Seven appointed by neighborhood coalitions. And as I say, we are out there. We will continue to do our work. And await your final decision on this, but I want the citizens to know that there is a working piiac committee right now that is actively looking at what the police do in investigating themselves, which is -- I hear the hurt and pain in people's voices tonight. We are doing that under the leadership of mr. Ford. That's all I have to say.

Katz: I know that, of your service to the city and I have attended many of the piiac meetings and I have watched the group struggle with some of the issues. Share with us where you feel the biggest frustration within our current system that you think needs the major, major improvement or overhaul.

Ueland: Well, I guess the frustration is do we have the power to make changes. No. For instance, our constant complaint for all the years i've been on piiac has been timeliness. How long it is taking to get these cases done. But we do have the power to write a letter to the chief, or a report to the chief, actually, which we come to city council with, for your approval and endorsement, and it goes to the chief, and the chief has 60 days to reply. And he may or may not take action on the recommendations we make. On the timeliness issue, after many years, I think you will note, that the chief now has assigned five more investigative sergeants to iad in an attempt to speed up the length of time in getting

JANUARY 17, 2001

these cases done. Remains to be seen if it will work, but something is being done. Other issues we brought, some, as I say, the chief doesn't go along with and some they do. We have had -- the question -- the distraction technique was an issue. We looked for trends as we read all of these cases. And monitoring them. This technique kept coming up in police reports. We told the chief that we didn't think that, that we were concerned about this. And that was addressed in the training of the officers, and it was -- it was -- we feel corrected. We were concerned about language, profanity, and we have gotten one change in the general order on profanity and now we don't think that that's enough and we have asked the chief to make it even more profound and just eliminate it because it is being used as a verbal distraction technique. So, as I say, I think our body of work and our monitoring reports, I will stand behind that. This is a more hard working group, and I think that we have made, forced -- we have been able, been a part of many changes, and I think that in many cases, the chiefs are open to them and some cases, the chief isn't. So, I think that the frustration is, of course, that if we send a recommendation off and it isn't acted upon, but we are also very patient and persistent and we just keep jabbing that same thing back, timeliness, timeliness, and guess what? Instead of five sergeants now there is ten. Distraction technique is not an acceptable technique any more. We wanted some of the findings, we would say that an officer was exonerated, when it was a he said, she said situation, we said maybe that is not quite fair to our citizens. We respect the citizens, we respect the police and the people who work for the bureau but if it is he said, she said, with no witnesses, then why, why can't it just be insufficient evidence? Let's not call it exonerated. That doesn't make the citizen wrong. It doesn't make the officer correct, just because there was no witness to this thing. So, slowly but surely, we make some progress, we are chipping away, and we hang in there. Meantime, as you folks are going to have to decide whether or not this needs to change at all and in what fashion. It is frustration, but it is also a sign of our determination that we continue to meet and chip away at these problems, and we take a very critical look at the cases the way that they are investigating them.

Sgt. John Tellis, Police Bureau: Good evening, your honor, and respected council members. My name is John Tellis and I live in northeast Portland, been a resident of the city of Portland for 24 years and I am currently employed as a police sergeant for the police bureau. There are two things I have learned in my time as a police officer and one of those things is you can't please all the people all the time and the other thing I learned is that the police bureau, the police officers, in general, bear the burden for all the failures of all the systems within our society. Everything from mental illness to homelessness, falls in our court to deal with. It is kind of an arduous task and very difficult to be right all the time or even deal effectively with some of these issues that are way beyond the scope of the police business at hand. With that in mind, you have to look at all the problems that come out of what we have to deal with and realize that people aren't going to be satisfied and the issues come up. My question is, how is a different review board going to change any of this? The issues will be the same. The problems will be the same and we will have the same things to deal with and how is this going to make anything different? What I would like to say to you is that I have been involved with internal investigations of a criminal nature involving the police bureau members. I have been assigned to the detective division for five years before my recent transfer to the chief's office. I know from first-hand experience that the investigations are thorough, they are professional. They are of the highest standard, in many cases, we hold even a higher standard for the investigation of a police officer than for any other criminal. It's a complete, comprehensive examination of all of the facts. No stone is left unturned. The cases that I have been involved with I can say that with no uncertainty. They are, they are -- the most professional, well investigated cases that you can imagine. I just would like to say that I think that we are the best outfit to handle these types of investigations. We are trained. We are professionals, to leave this to anyone else would be doing a disservice to everyone in this city. We are the best equipped organization to deal with these and I think that it is in everyone's best interest to leave that in our hands. Thank you.

Katz: Thank you. Questions? All right. One more round. Of supporters of the minority report.

JANUARY 17, 2001

Charles Ford, Chair, PIIAC: I am sorry. Charles Ford, my name is. I am the chairperson of the current PIIAC, you will find my name on the minority report, and when the mayor came to our group, I said to her, I take pride in having put my name on that report. It kind of validates what my thinking that be about PIIAC. I know that there is a lot of criticism about PIIAC and I understand what some of the -- where some of the criticism is coming from. PIIAC has been in existence since 1982. There was a hard road before that year when it was instituted into the city government. Getting it to where we had some sense of oversight for the, for the police department. Many, many instances where there has been hardship in our community. On many occasions, but somehow, we endured. As a member of PIIAC and I am the chairperson of PIIAC, this is my 7th year. I don't want to see us throw the baby out with the bath water, as the old cliché goes, because some of us know what a hardship it has been to keep PIIAC afloat. On many occasions, during the last two or three years, we had to cancel some because we didn't get the kind of citizen participation as members on PIIAC. So in spite of that, we endured and are now at full force. We took time out of our schedule to spend three hours because we take this so serious just to sit among ourselves and talk about how we could improve the current system. It was a delightful session. I really enjoyed. We hardly believed that we had three hours. I know you are faced with a difficult decision. I applaud you, mayor, for having put this task force together. When it first was formed I was critical of you because I looked after we met and realized who was part of our force, and it made us look, a very small group, sometimes a lot of good things can come from small groups. That's the reason why I said that I take pride in realizing that the minority report was a small group of us but we feel very strongly about that report. Having stated that it will be shifted from the mayor's over to the auditor's office, I think that's -- we met with him last night and he was part of our work session. We were methods at what we hear and what the possibilities are to improve it. I just want to go back for a moment, if I have the time, to tell everybody that from the time PIIAC has been in existence, most cases, it was -- the needs were met in city hall. For the last three years, we took our show on the road, as the old saying goes because we wanted more citizens' input. What hurt me the most was, we were going from northeast, north, southeast, southwest, downtown, we had been to the gamut but we got very little citizen participation. Sometimes, incidents happen for a reason, and we could reflect on May Day, but one of the things after May Day has brought us out, as a community, we voiced concerns but I hope when we leave here tonight and what happens within the next few weeks, that we can come together as a people, realizing whatever form that comes out of here an oversight for Portland police department, it would be a good form, something that we all can support, and please take this one serious. Get involved with your police department. Get to know them. Underneath that, they are just people, like you and I. Thank you very much.

George Young, Police Bureau: Madam mayor, gentlemen, I am George Young, I am a Portland police detective. I have had the honor of being a Portland police officer for 23 years. I have also lived in northeast Portland the last 23 years, and while your decision won't affect me directly because I am on the cusp of retirement, it will affect me as a citizen of Portland, not professionally. Since 1986, I've been a Portland police detective. In that length of time I have been involved in a number of investigations of police officers, both in deadly force situations and in other situations. I can tell you, without reserve, without reservation that the investigations are thorough. They have become more thorough over the years, and in a way, we have worked ourselves into a hole because of this. When I started doing this investigation in 1986 and '87, they were less assiduous than they are now, but as we have developed an appreciation of the appreciation of police officer investigations, we have adopted rules. We have used techniques. We have investigated a much more assiduously than in the past with the result that, without additional resources, we have this substantial back-log in our investigations. That's being addressed, Chief Kroeker has doubled the size of that unit. The backlog should be erased within probably six to nine months, and we should be in a month ago where we can investigate cases promptly and revolve them right away and hopefully everybody will be satisfied with that. I am certainly that the officers will be. I just wanted to bring up one more point, is that I don't have a dog in

JANUARY 17, 2001

this fight. I am not going to be here a whole lot longer, so it won't affect me personally, except as a citizen of Portland, but if you adopt the majority rule I believe it will have a deleterious effect on police morale, I believe it will have a chilling effect on the policework in the city of Portland. I think it will hurt us as an organization. It doesn't come free. So that's the choice you have to make. Thank you very much.

Francesconi: Sir, I held myself, before I give this to commissioner Sten, I didn't ask this on the thoroughness of the investigation issue. I believe that most are very thorough, okay, and the ones I reviewed, most are thorough. But, in one month, I review personally two cases that are not thorough in my opinion and were not adequate. The investigations. So, either I was wrong, which is possible, or that a couple slipped through the cracks and there is not quality control and there is not standards on these investigations. Or this one was missed. One of those three.

Simpson: We do have a situation where we do have people in the internal affairs division, if that was where the investigation came from. Who are just getting up to speed on doing that job because they haven't done those internal investigations, prior to now, their career prior to now has been in administration, so it may be a situation where the newer people simply have to get up to speed.

Sten: Yeah. I guess the question is, you made a very strong statement at the end of that, and I understand that's essentially the position of most of the members but I guess I need a little more explanation of why it would be so chilling to have citizens -- it wouldn't be in the cases you have been looking at but in the deadly force case, but in routine misconduct, why would it be so chilling to have citizens look into that?

Simpson: Officers want their discipline to be handled or mandated from people in their chain of command. I am sure that everybody in the police bureau is in agreement with that and you can probably, can all agree with me, that that would naturally be in the best interest of the officer. Not necessarily that the discipline would be lighter, but that it would be fair.

Sten: And the reason -- I think you, you know, have a reasonable point of view and you sound like, I think, a representative and I am trying to get at sort of what's -- where does this thing split so strongly, which it does. Do you understand that the proposal is, and I am still looking at what the right position to take is, not arguing for one side or the other, is to leave discipline in the police bureau's command structure but to let citizens do the look at, you know, was there a problem, and does that still have the chilling effect?

Simpson: I believe that's what we have with piiac. And I know mike hess is the paid investigator for piiac and I know that he's an honorable and thorough person and that he does a good job. I believe that officers, if they believe that they are going to be subpoenaed by somebody, other than the people with whom they know are going to handle their case fairly and investigate it assiduously, I think that they will be reluctant to put themselves in positions where that might happen.

Sten: And I will put you off the spot and I am not meaning to put you on the spot. You don't need a ph.d. In political science to figure out the split in this audience and the two sides that they have taken. And I don't have one. Here's the question, you said that there would be a chilling effect if citizens investigated, there's been pretty substantial testimony that there is at least a strong sense that citizens feel iad has the opposite bias. How do you solve that problem? You have got two sides that think the other would be bias if they investigated the case. Is there a middle ground or do we have to pick a winner up here?

Simpson: There is a couple of things that you can do to improve iad as a minority report suggests. One thing that we can do is put it in a remote location where people would feel more comfortable in coming and talking to the investigators. And where they wouldn't have to pay for parking. [laughter] But that's just an obvious, that's an obvious solution to it, to one aspect of that problem. Having an internal affairs division that investigators cases promptly, where you can -- will have a result then, within a reasonable period of time would be the biggest step to improving that process in my opinion, and I believe that that's on the way.

JANUARY 17, 2001

Sten: Is it fair to say that you think citizens' point of view will change as that change --

Simpson: That will be fair to say, yes.

Francesconi: Following up a little bit, what about the san jose model or getting the auditor a little more involved in the investigation, itself? Maybe even having some, some, maybe even having some civilian -- a civilian or some civilian investigators who work for the auditor, who also monitor the investigations, so they are more actively involved in the investigation, itself, but you don't remove it from iad?

Simpson: That's not a bad model, as a matter of fact, san jose advertises for their investigators, they try to recruit investigators from experience to internal affairs investigators from other agencies. They wanted to bring them in and so that they -- their feel is that they won't have a bias toward the officers that they may have worked with in the past. I don't think you have the, that problem in Portland. I don't see it, I see officers who talk to do me before they are going to internal affairs and you know, they are worried about, you know, obviously, fair treatment in internal affairs. Not in fair treatment by the administration of the police bureau. I think that it would be triply worried about fair treatment by somebody who, who they don't have confidence in.

Francesconi: But, which is very important. People have to have confidence in the system, including the police officers, obviously. And maybe we haven't talked enough about that but it is also important that the public has some confidence.

Simpson: Absolutely.

Francesconi: Something like I just suggested could increase that, perhaps.

Simpson: Absolutely. We have to engender confidence in the citizens or we will not be able to do our job properly but by the same token the officers have to have confidence in the process or they are not going to do their job properly.

Katz: Before we go into the two-minute and go right down the list, are there any officers here, and robert, you may help me, who have been in iad that we can ask that same question, that commissioner Francesconi just asked, who actually have done these investigations that may want to testify? I don't know. If there is, we would like to hear from you. Okay. Britta? We are going into two minutes now.

Ken Spice: 3603 NE 6th, 97212. Thanks for the two minutes. Interesting public hearing. I guess things weren't going the way that you, mayor Katz, wanted them to. You were hearing a little bit too much pro majority report information and --

Katz: Do you want to introduce yourself for the record?

Spice: Yes, I am ken spice, thank you. And I sat down over the last week, many different times, to write down my comments for today. I've been waiting for this hearing for about 14 years now, since shortly after I moved to Portland the first time my civil rights were violated by the Portland police bureau. Even more so, after the second time and the third time. Even more so after the first time that I had a face full of pepper spray in 1994. And the second and third time that that happened, i've been waiting for a while for this conversation to take place. So i've been taking my time, putting a lot of effort into thinking about what is it that I am going to say today that's really going to do this justice. And I would write and I would crumple it up and throw it away, start over, write something different, crumple it up and throw it away. What it comes down to is I didn't bring any paper with me because this doesn't have to be with my experience with the Portland police bureau. Then I was thinking well, what I should talk about is, is what I have heard over the last year and a half, or almost working with the police accountability campaign. And the speakouts in the community that we have had and other people's stories that reflect my stories. But it is not about those, either, it is about the process, the process doesn't work. The fact that there is a phrase in common parlance, known as the thin blue line. We need independent civilian oversight in the Portland police bureau, in order for there to be any credibility whatever. Thank you.

JANUARY 17, 2001

Todd Olson, former Chair of PIIAC: 2403-A SE Hawthorne Blvd. Good evening, mayor, members of the city council, I am Todd Olson and live in southeast Portland, I am a member of the work group and I am also a former member of the PIIAC citizen advisory committee and former chair. I just want to focus my comments on our recommendation, the majority's recommendation to review completed investigations into the use of deadly force and deadly custody -- deaths in custody. When a police officer takes a human life in the line of duty, a community has a right to know why. We allowed the police to use lethal weapons in order to provide the public safety and protect themselves and the performance of this duty. In order for the community to be assured that police officers are not misusing this authority, full disclosure of all the facts should occur in a public forum on the occasions when they use deadly force, and when the laws of human life occurs. It is true that the district attorney and the grand jury review all incidents of the use of deadly force. But these proceedings are not open to the public. In fact, grand jury proceedings are secret. This leaves the public underinformed. The only information we get from the police -- when the police use deadly force is the information the media manages to pry from the hands of the officials in charge of the police bureau. This information is often incomplete, offensive, and slanted. We simply need to know all the facts. One of the mayor's work group majority recommendations in our report is that the civilian review board review completed investigations into police use of deadly force and deaths in custody. We stand by this recommendation. It is essential to building the trust that's needed for our vision of community policing to be fully released. Thank you.

Diane Lane: 5915 SE 85th, 97266. My name is Diane Lane. As a member of the PIIAC work group, I provided research on citizen police review. Research that convinced me that effective police review must involve independent investigation. Last week, Chief Kroeker stated that empirical evidence should be used to judge the effectiveness of police review. And that the quality of investigations of allegations of police misconduct should be able to stand on its own. Empirical evidence from San Francisco and Minneapolis indicates that excessive force complaints dropped by 50% a few years after independent police review boards were created in those cities. In reference to investigative quality, many PIIAC reports have identified efficiencies and police investigations of citizens of citizen complaints. In the first part of last year, 33% of such cases reviewed by PIIAC were found to be deficient. San Jose has a strong auditing system created seven years ago. And yet, in 1999, the San Jose auditor found similar deficiencies. However, no such problems are found in the police investigations of complaints filed by other police officers. This is evidence of an understandable bias held by the police regarding citizen complaints, which is well, well recognized by police experts. No auditing system will eliminate such bias. Nor will the increased number of police investigators, also, merely adding accessories, such as dual intake, without providing the solid foundation of independent investigation, will continue to leave PIIAC in need of repair. Thank you.

Kristian Williams, Copwatch: 2732 SE Belmont, 97214. My name is Christian Williams, a member of Portland Cop Watch, and during the almost five years that I've been a member of Cop Watch, part of my responsibilities within the organization were to monitor the incident report line, which is a line where people call when they have had encounters with the police or witnessed things with the police they didn't approve of. So that they can -- so that we can help them understand what their options are. And basically they call and say, this happened or I saw this or that or whatever, and we talk -- we explain how the IAD, PIIAC system works. We also explain the mediation system and you know, if it is appropriate, we help them get in touch with a lawyer. My experience has been that, that the largest portion of people who call us, wanting to understand what their options are, decide later not to file a complaint with internal affairs. And there is a pretty simple reason for that, actually, there are two. One is that they are not comfortable filing a complaint knowing that it is going -- only going to be investigated by the police, and the other is that they think it is futile to file a complaint which, in the end, the finding is going to be determined again by the police. So, the result is there are people who have grievances against the police who don't file a complaint. Basically no system of accountability is

JANUARY 17, 2001

going to work if it can't gain the trust of the people it is supposed to protect. And in this case, it doesn't -- iad/piiac system doesn't have that trust because the investigations are done by police and the findings are made by the police, so in order for a system to be credible, in order for it to work, in my opinion, you need to have independent investigators, civilian investigators, not attached to the police department and the finding of, of exonerated or guilty or insufficient evidence needs to lie outside of the police department.

Chena Mesling: 2330 SE Taylor, 97214. I am khina, and I am a citizen, resident of southeast Portland, and not an expert in any way like some of the folks you listened to tonight but I am concerned, the things that I witnessed personal 8, police treatment of other citizens, and things that I have seen in the news, with all due respect to the hard work that police officers have, issue that it is a hard job, I really do encourage you to support the majority report. Thank you.

John Rhodes: 2330 SE Taylor, 97214. I am john rhodes, a resident of southeast Portland, I lived here for 12 years, also, for the heck of it, tell you I worked for federal, state, county, and even tribal governments, work for the tribal government now, I am a scientist, this is my first foray on testifying in Portland on anything other than scientific issues. The reason I came down here, in looking at the majority report, it seemed it was extremely logical, extremely fair. It allows plenty of external oversight. It will help build credibility, and actually, I have never had a bad run-in with the Portland police. It seems to me that there are problems. This is a good way to address some of those problems, and actually, in coming down here, having worked for government, I have -- I was a little chagrined to find there seems to be a strong mistrust of citizen review. I think that's a little troubling among public servants. I don't know, if there is nothing to hide, I don't know why people should mind citizen review. At any level of government. And I strongly endorse the majority report. Thank you for your time.

Jane Wilcox: I am jane wilcox, liver at 4743 northeast 21st. I have lived in northeast Portland for ten years. When I hear a parent tell me that his son, his son, good student, the hard worker, the senior getting ready for college, has been stopped by the police nine times in the last year and a half, and for what reason? Police asked him, how can you drive a car like this? There was a disagreement about whether he was wearing a seat belt or not and another time, a license plate irregularity. Nine times in 18 months. When I hear about my neighbor's child arrested for failure to come to a full stop on his bike. I feel the relationship between the police in this community has got to be changed. To make change happen, citizens must feel that they have an effective avenue of complaint. They must know that if they persist and if they follow through with their complaints, that the change is possible. I applaud the hard work of the mayor's group. There is much to be praised in the majority report, but I believe it doesn't go far enough. I believe and will work for the police accountability initiative because I believe that it is what Portland needs. Portland citizens need to have direct influence on police policy. They need to have a trusted, independent system for revolving complaints. The day the pac initiative is in its place is the day that we can begin to address the racial profiling of Portland's children. Thank you.

Barry Joe Stull: PO Box 11008, 97211. My name is barry stall and I live in north Portland. I live in dan's neighborhood, and I there is people on the streets up there and I find that distressing. I also find it distressing since I moved into the house after being out of the neighborhood for a while, that within a very short time of being there, I saw Portland police officers out in front of my house pointing guns at the heads of my -- at the head of my neighbor who was there in front of his little brothers and there were never any charges or anything like that. And nobody was taken into custody, and I just think that that's a little bit inappropriate in light of what I am going to tell you. My own personal experience with the police comes from the fact that i've been working on marijuana politics in Portland since 1982, in 1989, I had my encounter with the police when cheryl arnold was an officer who headed up an investigation against me that had the police working with a paid informant who gave drugs for money, we don't know about the drugs but we do know about the money, that's illegal. And cheryl arnold was

JANUARY 17, 2001

issuing a case from me because I was an officer that got a \$75,000 settlement paid by the city of Portland because of the mistreatment by, at that time, sergeant mcloughlin and some other officers on the police force. I was also present when deanne was abused by the police and got a settlement. Aid meeting with commander kaufman, which was later involved with operation north star here, where people working in Portland police bureau apparently were getting paid for hours that they weren't even around. So, if you think that the police, in this city, and this city is fine and dandy, it is not, and unfortunately, I can't get away from it. I was down in ashland, as a candidate for the green party, went to the convention down there and my partner, hannah, was riding on the bus and she ran into jenny nelson from sisters of the road cafe and jenny invited me to participate in an organization that I had worked on prior to marijuana being legal for medical marijuana patients, so i've been distracted with that issue. And jenny said that she needs to have me come back because are abusing the homeless people in this community so I do think that we need to realize that the police have problems and they cannot be trusted to police themselves because they have no motivation to do that. They have absolutely no motivation to do that. So when I mentioned to chief kroeker, april 20th, medical marijuana patients had his arm broken by a Portland police officer, and you were there, mayor. He said, well, car lien was shot at a marijuana raid where steven don was involved, that, I must say, the person, warrantless search, suspect in custody, that is not a model for police operations in this city, either. Thank you very much.

Jeanette Spencer: 3214 SE 30th, 97214. County commissioners.

*****: City.

*****: City.

*****: We are sensitive about that.

Francesconi: I wish I was a county commissioner right now. [laughter]

Spencer: This is getting better and better, I love it. I don't know basically how to go about this, but I have spent a lot of time in Portland, and one of the founders of three women of creation at the Portland saturday market, and i've been -- spent 20 some years trying to help make this city a better place. And I am also a writer. I write poetry and I also write novels and short stories, and I helped create a grant to do that, 20 some years ago. My biggest complaint with the Portland police, without the police, I don't think that we could really survive, and yet again, with the police, I think that it is kind of hard to survive again. So, I think that we are in a double thing here. I don't know what to do. In february of last year, the 14th, I was summoned to go down to city hall and turn myself in because they said that there was nothing wrong with me. I don't have a disability and I don't need any care, so I went down there, and I was in jail for a week and a half, and only come to find out the reason why I went is because I have a neurological problem. I didn't understand that, and so now I am trying to get my, my police report and nobody can seem to find that, so I am really concerned about how can a person go down to some place when they don't even know why they were supposed to go down there, only because you get a letter in the mail from the attorney general telling you to go down there.

Katz: You get a letter in the mail from who?

Spencer: From the attorney general. From wu. I don't know.

Katz: Yeah, I don't understand that, either. If you have the letter, I would like to see it.

Spencer: Okay. I didn't bring it with me but I can give it --

Katz: Give it to me when you have an opportunity or mail it to me, thank you.

Spencer: And just one more thing, two seconds, and in may of 1999, I was -- I am a student. I was riding the tri-met bus, and I was riding it to Portland community college, I go to two schools. And the tri-met, the bus, they had the district attorney follow the bus, and did a rodney king number on me and beat me up and I went to, I had to go to the hospital, and then the cops called the police and went to -- I mean, I went to the hospital and then I went to -- I had to go to court, and I went in front of judge, um, judge dorothy baker, and she gave me -- she said that I had to pay a fine because she didn't believe that there was nothing wrong with me. I don't know about the police force. That's my complaint.

JANUARY 17, 2001

Mark Seiberg: 4812 NE 31st, 97211. I am mark and I am a resident of northeast Portland and I never had a run-in with the Portland police but I want to tell you about an experience that I did witness. I witnessed on two separate critical mass bike rides where an officer tackles someone on their bike. This seems to me to be too excessive and unjustified for a group of people riding their bikes as a form of political free speech. On one occasion, I read in the paper the next day a police spokesperson saying that the force used was justifiable and that it was police procedure. I don't have training in police procedures but I do not need to go to the police academy to know the difference between right and wrong. You don't tackle someone on their bike for going through a red light, that is just plain wrong. It is for this reason I urge you to adopt an independent audit model with the ability to hold public hearings on police policy and to recommend changes. If police are investigated by the iad and they hide behind police procedure we will never be able to hold police accountable for their actions. Citizens will continue to distrust the police and the misconduct will continue. Thank you.

Bill Resnick: 1615 SE 35th Pl., 97214. I am bill reznick of southeast Portland. I want to thank the mayor for appointing the piiac task force that so well framed the review issue and it seems to me something similar should be done to explore other vital issues facing the justice system in the city, including the permitting process for demonstrations and the paramilitary training the police are now putting so much resources into. It is not often that people like me get to -- a chance to talk to a room that's half full of police officers. I came here prepared to argue for a strong independent police review for the purpose of the protection of constitutional rights and the bill of rights, and not just in day-to-day encounters between police and citizens, but also for reviewing police policies towards marches and demonstrations. I want to remind, especially the police here, that they won the right to a union and to due process and to fairness, I think it was in 1972, in the early '70s, when the long shore union and other trade unionists and activists marched with the police, in fact, sat down on the Portland docks, with the ship owners, thought a terrible violation of the law, but when the pressure continued, the Portland city council agreed to recognize the police union. The movements I have been part of for the last several years, including the may day march, have been in the same tradition, the may day march, we were seeking more low income housing, fairness to farm workers, seeking to protect aging forests, giving support to the employees of powells book and organizing a union, to be sure we marched without a permit. That was a bit disruptive and there was an act of peaceful disembodience in the spirit of the 1972 police actions. It was also in the spirit of so many movements, the movement that won the bill of rights in the united states. The 8-hour day, 40-hour week, public education, the civil rights acts, environmental protection. These were products of people organizing, mastering the issues, going into the streets, saying that if there was no justice, we will keep struggling. It is only through this sort of mags, peaceful protest that working people make gains and win fairness, once we lose the right to vigorously protest, and that is, in fact, what current police practice towards demonstrations is doing, and which policy must be independently reviewed, then all of us, including the police, will be injured and the system harms everybody.

Matt Janson: 615 SW 18th, 97209. Thank you, mayor Katz, and the executive council for being here this evening and allowing me to speak my word. I am matt and I am here on a police brutality matter, but let me tell you a little bit about my character first before I get started. I work here in the community, feeding the homeless, working in the drug and alcohol free community, bring people to detox, i've been doing it for a very long time now. Tonight I am in a position where I have to defend myself, and I feel like I should speak up, not only for myself but for people, too. Police brutality, to me, the night I experienced 110500 was the night of living hell. Okay. By the end of the night there was 20 cops on my ass, for what reason, I don't know. Scared me, I am a father of a 7-year-old boy. I have responsibilities within the community, as well as a father. I was put in jail for 30 days on five charges I didn't do. And I am still faced with those charges. When the police officer approached me on a routine traffic stop, I didn't have my license present with me at that time. He told me when he pulled me over, that there was no reason why he had pulled me over, when he asked for identification,

JANUARY 17, 2001

I told him, okay, let me get you some identification. He opened up the door, and I received three punches to the face. I have pictures. I have a witness. And also, on the report there was some false information put on the report. I am not here to say that the police were lying, it could have been a mistake and I am not here to say that the Portland police bureau is all bad. But I will tell you two certain individual officers that night when they kicked me ass, were the handcuffs on, kicking me in the head, really made me life change. I got some issues now. I have to see a, a, I have to see a doctor every week. I had whiplash and I wasn't expected for any of this to happen. As I was going through what we call felony flats at 2:00 in the morning, that's when it all happened. The store was locked up, a man banging on the door and the police across the street watching me. We get in our car and all of a sudden they turn the lights on.

Glynnis McBride: 19162 Clairmont Way, Oregon City, 97015. Okay. I am glennis mcbride, I am a citizen, a student, a voter. I am a human being and deserve to be treated as such. The police in my town do not agree, I am from Oregon city. My friends and I are continually hazard by the police. Some of my friends have been brutalized by the police. Police brutality is a reality. In response to one of the first statements made by one of the police officers about citizens' trust, namely that there is no lack of trust by the citizens for the police, this hearing proves otherwise. I prove otherwise. I not only distrust the police, I fear the police. I have never been arrested, ticketed or formally warned. I have, however, been hazard, verbally abused, followed and searched. By the police. This behavior was warranted by the fact I was walking down the sidewalk of my home town. If you remember, if there is no misconduct or coverups, then what do the police have to worry about? In other words, how can making the police accountable to the people that pay their salary be a mistake? You, mayor Katz being are now known by a lot of young, homeless and community activist as the queen of clubs. No doubt do, in part to the disgraceful actions of the police on may day, you now have the unique opportunity to redeem your name and do the right thing. And act as a citizen review board that makes the police accountable to the citizens and set an example for the rest of the country.

Paul Maresh: 7425 N. Portsmouth, 97203. Good evening, mayor. Commissioners. My name is paul and I live in north Portland. Thank you for the evening meeting. I appreciate it. It is nice for many of us who have to work. Or rather, I should say, are fortunate. I have many friends in the law enforcement community, there are many professionals within that community, in the past 15 years, there have been what I feel to be an inordinate amount of abuses of police power, and fortunately, many of these have resulted in deaths, needless deaths, and in fact, the fact that we are here tonight is a reflection that many of the citizens of Portland feel the same way. By nature of being americans, we are supposed to be free from illegal search and seizure of our persons and effects. We are here tonight because many Portlanders are deeply concerned about police abuses in Portland. Even the minority of Portland agrees the current system, piac, is not working and people with valid complaints are reluctant to come forward. Two points I would like to make. The business model that was referred to earlier was in error. Turnover control of police to an outside force, excuse me, the citizens are the employer. Ie, the bosses. After all, we do pay the bills. We even pay chief kroeker's salary. Therefore, I will listen to his idea that he does not like the idea of a citizen review board, but we do pay his salary. I think that that's worth something. Two, there are plenty of -- in response to a question that was brought up tonight, there are plenty of private i's in Portland that have cases when police overstep their bounds. These people are professionals and they like the police -- and like many police officers are professionals. And the professionals in this community recognize that there is more than one side to every story, and they know, and I know cases where people were busted for driving while black and brown, and that's what they were, and so commissioner, there are people that can investigate these matters that aren't members of the police department police department. In short, why are we even here tonight? You selected a body of competent people. They analyzed the matter, recommended a course of action -- Their recommendation was endorsed by the legal of women voters, labor unions, the naacp --

JANUARY 17, 2001

Katz: Thank you, yes, we know. Thank you.

Brian Barnett: 7038 N. Farragut Pl., 97217. Yeah. I am Brian Barnett with the Freedom Socialist Party. And the officer had mentioned how the police end up with all the problems of society from homelessness to abuse and every other thing. Of course we are -- I believe that only in a socialist economy, puts people before profits, where these problems would be resolved, ultimately. In the meantime, we have heard a lot about people's civil rights, constitutional rights being violated, and the question, the main question is accountability. Everybody is talking about accountability. And I truly believe that the police are a special body of people, and that accountability is a critical issue. The -- these things are all connected. We -- the, the elections showed that people of color have been kept from voting. Even our own party, the Socialist Party, that is suing the state because we can't run candidates, these things are all connected. And I was looking at why there isn't more grass-roots people of color here tonight, probably good reason, they are afraid to come here. And there is reasons for that, even I know -- so I believe that there is no question that we need an independent, civilian police review board, that's independent of city hall, that's elected by the people, and has the teeth to fire and discipline the police and even the chief of police, who I think, should be resigned and fired. Thank you.

Jody Heatlie: 2237 SE 70th, 97215. I am Jody and I live in southeast Portland. And I lived in the Portland area for 35 years. I watched the work of the mayor's piac work group and conclude that the majority report people have worked long and hard and considerable research and have acted with great integrity. And in doing an independent review board to investigate police misconduct is necessary and long overdue. In the history of police misconduct in Portland, there have been hundreds of cases. When the police have not been made accountable, facts have then been in the press and were distorted, covered up, and perpetrators have been even exonerated. There is a lot of things that need to change. I think they should get over this shoot to kill policy and learn a new way to work with people who are mentally ill. Since police, chief Kroeker has come into Portland, the police department has acted with more authority and militaristic and there has been more aggression, aggressive incidents against nonviolent protesters and the public has been treated more like the enemy, and I have not seen that before. Police car chases -- I won't go into that. I was almost hit by a police car speeding with no lights and no sirens, but that happens and a lot of people have been killed by police car chasing. But everyone I know thinks that the police are more out of control and they don't trust them any more. And so why would the public trust the police to investigate their own misconduct in their internal affairs division? So the majority report really is mild, and it is just the beginning to a solution, and it is reasonable and it is democratic. And even the Oregonian says, Portland can't talk community policing and then shut out the community on policing the police. So, since there, also because there is a national beginning of attack on the first amendment, nationally, I think it is more important that Portland maintain democracy and I urge the city council to support the majority report.

Greg Cluster: I am Greg Cluster I live at 317 northeast 28th avenue. I work on the outreach committee for the police accountability campaign. Publicizing, walking the streets and talking with people about the role of the police in their lives and inviting them to speakouts about police abuse. I have heard a tremendous number of horrifying stories about people's encounters with the police. Especially people of color. I could report some of these stories, but I am going to hold off and just encourage you to attend future speakouts. There will be more and you will be invited. I think what is more appropriate here is to take advantage of the chance for dialogue with police officers. I truly valued listening to the investigator who was speaking before, who mentioned that the majority report would upset many police officers because they are accustomed to receiving -- accustomed to receiving direction from people in their chain of command. This highlights a problem, that the police officers are very far from seeing themselves as people who serve the community in which they work. If they are public servants, they must come to see themselves as primarily servants of the people who they are in day-to-day contact with on the street. Not in a military-like machine. Other public servants such as

JANUARY 17, 2001

teachers, have volunteered in a lot of -- in a number of Portland public schools and I plan to become a teacher here, and other public servants, like teachers, must constantly confront parents who, like the investigator mentioned before in his, in talking about civilians, relationship with police teachers must often confront face-to-face parents who may not understand what the teacher is trying to do, may not understand the work. But, it is part of teacher's responsibility to have that contact. It is often really difficult but it is truly important to teacher's work. There definitely are teachers who fear these meetings and resist these meetings. They are always the worst teachers in the business. You will have a strong civilian review board, whether because you adopt the majority report or because the citizens push through with the initiative. But it alone, will not bring us toward real, a real trusting community. You all need to concern yourselves with all forms of militarization in the police force --

Patrick Dinan: PO Box 1031, 97140. My name is pat and I work in north Portland area. First I respect good officers. It is the bad ones like bad citizens that truly need to be held accountable. And that's what we are here for. But I sat here and listened to a representative from the piiac citizen committee that just drew the blood. This man was the individual that did my report, and I am here to tell you that if he did it, I would talk -- I would look him straight in the face and tell you it was a joke. There was over 12 requests for a lawful order to be presented in the file, he never found it. He made claims that I asked to be double cuffed. I happened to have the police report, it states right in here. He was placed in cuffs, he was asked to be double cuffed, which he did. His statement was different. He noted that I was warned not to come back into the lobby and warned that he could be arrested for trespassing. He doesn't understand the law. He stated sergeant a was not on duty. I have a letter from the commander saying that the man was on duty that day. Where is the fairness to this report going now? He states that three days later the appellant saw the sergeant, the court case was the next day, the only reason I was there was for the court date. Yet he made the statement to the piiac committee and to the people around, and you were there, that I just happen to walk into him. He stated that sergeant denied the access and he was faxed. I have asked for almost three years now, show me a lawful report. You need to understand that if you can't do it, and your citizens can't do it and the police can't do it, we need to give somebody else a chance. I asked you if the investigation -- why wouldn't an officer allow an appellant to review. We now have senate bill 975 and you cannot view any of those if the appellant's or the officers are exonerated from 11-month investigation, give us some tools, folks. If we are the citizens, why didn't they produce? I call on you, mayor, our commission, police, to give the lawful order I requested over 20 times. Your position as a commissioner, you are an elected official. Produce it for this citizen and be bold about it. Thank you.

Janine Oshiro: 4017 NE 15th, 97212. Okay. My name is jeanine, and I live in northeast Portland. And I am collecting signatures for the police accountability campaign 2002. I am not anti-police. Whether we are for or against the majority report or police accountability campaign I believe we all want to be able to trust the police. I believe that a working independent civilian review board would lend credibility to the police, and would reestablish a broken trust. I first became interested in the Portland police because of statements made by chief kroeker. My issue with kroeker's personal injustices grew into a bigger issue with systemic injustice toward ethnic minorities. At the january forum with kroeker we heard too many stories of racial profiling. People were described how things are in their daily lives. Kroeker repeatedly responded by telling us how things are supposed to be according to legal police procedure. He did not acknowledge the enormous gap between police policy and police practice. There is a big difference and that must be acknowledged and kept in check. I sense from many people who are for the minority report and from police officers that people are concerned about citizens wielding power over the police as if we are going to pick the first five people walking down the street or as if everyone will be lawless and anti-police. This reflects a general sense of distrust of the public much let me tell you that if I did not care about the delicate balance of trust and power in the relationship between citizens and the police I will not be here. I am not anti-police. And

JANUARY 17, 2001

I am against the abuse of power. I am for a fully credible police department, which can only be established by a strong independent review board.

T.J. Browning: 3545 SE Ankeny, 97214. Wow. Ditto. My name is t.j. Browning and I am here as a citizen. In two minutes it will be kind of tough so let's get down to basics. The first basic here is that we are a democracy. News flash, news flash. That principle means that we are a government -- a government by the people and for the people. And the fact of the matter is the police department is a government agency. And by definition, we, the people, are the boss. We -- they govern, they serve us. It isn't an issue of whether it is a good police force or a bad police force, for all I know we have the best police force in the whole country. That's not the issue. The issue is, who do they listen to? Do police tell us or we tell them? Hopefully it is a two-way communication. The other fact that we have here in Portland is that we are a community policing -- we embrace that. The principles necessary for that are empowerment, partnership and accountability and right now we don't have that. I can't imagine in a discussion like this taking place with our founding fathers, can you picture this? Hey, thomas jefferson, can I see the research whether democracy is going to work, and by the way, john hancock, what's this going to cost us? No, they look at the principles of what is right and wrong and what the philosophy is that a government could operate on and love and empower and operate and function with trust. I think that we should follow their lead. I think that we should trust democracy. I think we should instruct the city auditor to -- I think the city council should adopt the majority report, adopt the independent investigation and instruct the city auditor that all the competency and wisdom, to construct the independent review that will work best for the city of Portland. Let's not wait and do research that we have already done. Let's act now, please.

Jada Mae Langloss: My name is jada --

Katz: I heard, this is not on your time, I heard you were elected mayor --

Langloss: Without my permission.

Katz: And you never wanted to be.

Langloss: Nobody fun to run with.

Katz: Shame, shame, shame. You never wanted to be elected.

Langloss: Well, I would have liked to debate with a few other candidates, be size just myself. [laughter] Anyway. I reside at the den of dignity down there in tent city, and the ice was so thick on my wheelchair, I left it outside, I had to chop it off, and it was ice around the tent and that made noise when it got broken. Anyway, the object is, or I mean, the solution for everything is, eliminate the unjust laws, that the encouragers, instead of enforcers of the law, are forced to enforce. We have many, many unjust laws against the poor and I can tell you, because I do not ask for contributions, I am a very poor -- et cetera, et cetera, candidate that lives around \$500 a month. Now, my retirement doesn't cover what your retirement would, so Portland employees, I mean public employees' retirement system is like three or four times the minimum of what I get so it is very difficult for me to pay rent anyway, back to the police problem. My daughter was assaulted by officer higgins in the early '70s and I picketed the police department. I asked every guy coming in and out if he was the officer, and the majority of them said, thank god -- thank god I am not officer higgins, from my understanding he's still on the job or he should have retired probably. Anyway, my son and my daughter were both persecuted by the police. One of my nephews was beaten up and left to die in the early, the early '90s, and I brought this report to city hall. I was told by chief, at that time, chief moose, not to walk across that property. I said this is my neighborhood. I am only two blocks, or less than two blocks away, and he said, I will run you over. If you cross this property again, I said, you go right ahead and you will just have to suffer the consequences. So I am a little bit sassy to anybody who challenges my being, freedom. I am a freedom fighter. And I suggest that we start eliminating the unjust laws that have been passed by unjust legislatures.

Katz: Thank you.

Langloss: That is a step in the right direction, too.

JANUARY 17, 2001

Katz: Thank you.

Langloss: Also, the schools that the police go to, and are taught that the civilians are the enemies and I can prove that because I have got police officers in my families and mayors and rocket scientists. Just about everybody you can think of, I came from.

Jason Franz: 514 NE Tillamook, 97212. My name is Jason and I live in northeast Portland. And as a peaceful demonstrator protected by the U.S. Constitution I have experienced unprovoked violence at the hands of police. Twice. In both cases, I am confident that the police did not fear punishment for their illegal actions. We, as a community, must alter PIIAC, so police know that when they break the law, they will be punished. PIIAC currently has no teeth, and no respect, in Portland. PIIAC must be changed from an auditing board into an investigatory board. Currently PIIAC's findings are nonbinding. The process, which includes waiting for internal affairs, is far too long. We must give PIIAC the authority to conduct independent investigations. Within those investigations, PIIAC needs the power to compel testimony, both officer and civilian testimony, PIIAC needs to have the power to call for discipline of officers, including complaints of police shootings and death and police custody. These changes are only a start of solving problems within the Portland police force, and I am confident that if the city council doesn't act, that the people of Portland will. Thank you.

Kyle Yamada: 4912 SW Laurelwood Ave., 97225. Hello, Mayor Katz, Commissioners, thank you for the opportunity to speak. I would like to start out by saying that although I have never personally been -- will an incident with the Portland police, I have been a victim of racial profiling once when I did a year in Germany where a police officer stopped me on the street with no warrant, no excuse, no reason to search through my things so it was an extremely humiliating experience so I understand what it is like and what minorities in our city feel like through that experience. By the way, my name is Kyle Amada and I live in southwest Portland. I also know from the experience of my family background that our civil rights and civil liberties can be taken away any time by the government. I am Japanese-American. Fourth generation but from my grandparent's generation I know that things, sometimes, the civil rights are very tenuous, so the reason I support the majority report decision is because it would be just one more thing that would help us set in cement some of our basic rights to have accountability over the officials who are instrumental in our public lives. I also want to disagree with the assertion that complaints need to be handled internally by law enforcement professionals. We have a tradition in this country of impartial outsiders to oversee our public institutions, innocence isn't decided by legal officials but decided by the jury of peers. Also think it is no coincidence our founding fathers made the commander in chief of the armed forces a civilian, as the president of the United States, someone who, in theory, is elected by the people, who is in charge of the military, since none of us elected Chief Crocker, I think that at least -- the least we can do is make him accountable to an independent body with civilian involvement and participation. I implore you to adopt the majority report and create an independent review board. It is not only the right thing to do. It is the embodiment of our most cherished democratic ideals. Thank you.

Everett Javos: My name is Everett and I live at 401 in Portland. The inadequacy of review of police conduct is certainly not new. It was certainly evidence when the members of the Citizen Advisory Committee to PIIAC quit some 10, 15 years ago, about the time I first became a citizen of -- a resident of Portland. Before any of you were members of the city council. Apparently the police generally support the existing system of ostensible citizen input into police management, that is PIIAC. This is good news because I understand it was adopted 20 or so years ago --

Katz: No, no, no. It has been changed since then.

Javos: Okay. Well, I understand that it was adopted against the wishes of the police at that time. Although the -- sorry. I realize we all resist change some aspect of our lives. It seems that we are along overdue to leave the prevailing viewpoint in the Portland Police Bureau onto the next plateau of scrutiny over its police force, that is it is time for the atmosphere for professionalism of the management of the police, the Portland Police to be rebalanced with a stronger dose of input from the

JANUARY 17, 2001

civilians who are supposed to be served and in whom the power of the government and the law is supposed to ultimately reside. The problem that needs to be addressed, is not just the accountability of the police. We need our elected officials to be accountable to the people of Portland. We need you to support and strengthen democratic processes. Humans aren't perfect and having power will probably always invite the abuse of that power. As long as there are individuals with power to enforce the law, there will always be acts of disrespect, intimidation, and violence, abuse of power to discriminate rather than protect against discrimination, and violation, rather than protection of precious, fundamental constitutional rights. We need you, our elected representatives, not to turn a blind eye and deaf ear to these abuses, by individuals, abuses by individuals, such as police officers or by institutions, such as official fbi orders. We need you to stand up to institutions, such as the wto.

Ken Caldwell: Gresham, Oregon, 97030. Mayor and city leaders, I am ken, and I have a letter here from -- from a complaint I filed with the ia. The complaint was against -- excuse me. Justice center jail nurse and the guards. In april of 2000, and in may of 2000, wrote a letter, and we are sorry the contact with the Multnomah county sheriff's office was not pleasant and hope any future contact you have will be more satisfactory. I have a medical condition that I have had to deal with my whole life and I ignoring that, it cost \$12,000 in january of 2000, and I was in custody for a nonviolent possession charge. And I am just here for the record, so that's all I have to say, thank you for your time.

Katz: Thank you, sir, and just want to remind you that memo came from the sheriff and that's not within our jurisdiction, but I appreciate your coming and testifying.

*****: It is the lieutenant --

Katz: That's a Multnomah county sheriff paper, thank you.

Troy Jacobs: 675 NW Bella Vista Dr., Gresham. I am troy jacobs. When I was younger I got into a lot of trouble. I spent almost 17 years in the jails and prison of Oregon. So I guess that I am a convict. When I was in prison went to college, I read about a thousand books, studied physics, religion, philosophy, became christian. There were others like me in there, and we used to walk around and defend the police department because we would tell people that we were glad our families were safe. That their sisters were safe to walk around and didn't have to worry about somebody beating up their grandmother. Got out on parole, and enrolled in college. I did volunteer work as a system's administrator for a charity in gresham. I based most of my decisions on my christian beliefs. I am not perfect. On december 2nd I was beaten by the police. That were responded to a phony domestic violence report. I had my -- my head slammed repeatedly into a hardwood floor until I was permanently scarred. Since then, it seems this is all boiling down to a matter of who will tell the truth and who won't. And that's the hardest thing in the world to discern. So you have got a tough job ahead of you. But I am hoping that the Portland police have enough integrity in the higher ranks that they don't, they don't like that behavior at all. And I am hoping that this can be resolved in the right way.

Simone Platman: 4254 NE Hazelfern Pl. Yes, your honor, your honorable mayor Katz and the commissioners of Portland, thank you for being here tonight. Yes, of course. My name is simon, the name might be familiar to you because I have been, and my partner, has been -- has been victims of hate crimes. We spent a considerable amount of time and energy trying to get the information from the police regarding the incidents that occurred, very difficult to get any information from the police, and when we did receive the information, the information was false, biased, and slanted. There was no recourse with that. The detectives who looked into the case basically told me that they were too busy investigating corruption within the police force at that time. Quite frankly, they felt you don't have a chance. They also stated, it seems like you have means that you can live, be anywhere, then why don't you just pick up and go. To keep this short, when I tried to sell my home, the mob, and I will keep the name out of it because some of those people are your friends and you have been to parties on that street and on alameda and irvington, they made it very clear that they didn't want me to sell my home to a greek woman who lived on the corner who was a friend of mine. Who is a very wealthy woman, had the means to buy my home because her mother, who is 90 years old, needed a place that was safer for

JANUARY 17, 2001

her. She decided not to buy the property because of what was going on with all the hate with the signs and the things. I am a gay woman. I am jewish, I am have england, half my family died in the holocaust. I am left-handed, right now I am disabled, I have a tumor in the middle of my brain, to come here tonight is of great effort, but I cannot forgive the city for dismissing me entirely. There was no, no one getting back in touch with us. Let me state that at that last meeting with the, the police chief, he said that he was going to look into it, and detective henley is it, he took notes. I watched him take notes on everybody, and they were going to get back with me. No one has gotten back in touch with me. I don't know. I would like to hear someone say that I am sorry.

Katz: I would like to see the case, if it is a hate crime case, we take those very, very seriously. So, if, I need to understand what the situation is, so please, why don't you give me the information and I will take a look at it, myself.

Platman: It has been a very difficult time, and let me say this, I was given a key to the city by a gentleman you probably know, of course, my memory isn't as good as it used to be, my friend, oh, gosh, he went on for anaheim. He used to be your invention -- oh, who used to run the convention bureau here. When you opened your convention bureau, your ribbon opening, you invited, I think in that we had 500, 500 people were invited, I put on conventions, and one of the people that I was involved with and I am getting a feeling that I want to do this again. When I was involved with is stopping colorado from having conventions in this city when they decided that gays and lesbians have no rights in this city and guess what, the convention is pulled out. The reason here, one last thing, please, we have a flow chart here, business is run with a flow chart. Usually what they need is usually a board of directors and they also need an advisory committee and when I have -- I have been on many board of directors and I have an advisory -- been an advisory committees and I have been a men tore and I feel that what people are asking is really not much to ask for, to give the citizens a chance to at least have access to looking at these cases with the police.

Katz: Would you be kind enough to mail the information to me that you have provided to either --

Platman: I have had calls from your office. I have had calls, basically, placating me, some young women have called. I have had ms. Francem from the Oregonian -- I don't want to have a big --

Katz: I am asking you to give me the information. Okay. So if you can put it in the mail and write, personal, I read all my mail, okay.

Platman: Do you follow the flow chart of the business? Running a business, when you run a big business, you have to have an advisory committee, and with that --

Katz: Thank you. Your time is up. Thank you for coming down and please get that information to me. Go ahead.

Shanda Tice: 1416 NE Euclid, 97213. Hi, my name is shanta and I live in northeast Portland, my father is a police officer, and is now a retired u.s. Marshal so I have a law enforcement officer in my life, which I really trust and through relationships with his friends and partners, I have trusted many law enforcement people in my life. So, I don't come here with the police bias, however, I also know through my father that fellow cops that he served with had severe alcohol problems, owned larger arsenals of weapons than your average citizen and some time ago I saw a display of women's statues representing women killed in domestic violence and I was shocked at how many were killed by their cop husbands. Now, this doesn't prove anything. Except for the fact that cops have a proportionately similar way toward crime as the average population. I am pretty new to the activist community and my first protest, fortunately or unfortunately, depending on how you look at it was may day. And this was probably one of the scariest days of my 26-year-old life. And I saw nothing but fear on both the parts of the protesters and the cops. The only difference I think, though, was that the cops came out there with fear. They had fear in their hearts before they left. And the protesters, basically, grew fearful with every unprovoked horse ramming, and although the media sensationally portrays it as a sporting competition between the cops and protesters, it is not. In my ideal world the police protects the citizens' rights, even the freedom to assemble and freedom of speech. When the police approached

JANUARY 17, 2001

the citizen with fear, they do not trust them. And as a result, the citizens also don't reflect that trust. So, the trust of the city and citizens has been abused, and it is the shared power with the people that they protect to restore it, and give them the power to review the police with their peers, it is not -- the police are not above the law or the people. So I support the pac 2002 initiative. Okay.

Michael Levy: 4926 NE 24th, 97211. Hello. I am michael levy, I am a citizen of Portland, Oregon. One of the officers who testified, offered testimony earlier, made a very strong point. How many citizens, when confronted by a police officer for running a red light say thank you, officer. I just committed something that was potentially very dangerous. I would imagine it would be very rare. How many times when confronted with someone in power, who potentially abuses our power, how many times, I am sorry, citizen, I may have just overstepped the bounds of proper policing. I may have just abused my power. I am sorry. I never heard it. I respect the police. I think that they are essential, integral part of our community. They deserve respect and you know, I frown on those individuals who do not offer them the respect, but they must be accountable to the citizens. Much of our citizenry in this state, in this country, can be characterized by apathy and disempowerment. We must learn to be responsible we must learn about the world events. We must be a part of the whole community and also take care of our small community. We should empower the citizenry of this city by distributing the responsibility for important issues. One such important issue is police accountability. I respect the police. I praise the police. But sometimes they do overstep their bounds. They need to be reprimanded. They need to be censored and they need to be corrected. If they will feel a little shaken by a citizen review committee, perhaps it is justifiable and perhaps we should undertake and go through with it. I don't know if I have gone over my two minutes but also I would like to say how important I feel it is that we, as citizens, be allowed to demonstrate and manifest ourselves on the streets and I would really, really hope that the police would, would, would be more sympathetic.

Mike D. (sic): Hello, I am mike, and I am here to talk about the police. I live in the area. And see the police a lot. They come by where I volunteer in the neighborhood. They are very nice to me. They wave. They say hi, mike. And that's great. It wasn't always like that, unfortunately. My first encounter with them was a little less friendly. They thought I wasn't wearing my seat belt. Pulled me out of the car and beat me up in front of my friends and I got to go to the hospital and all that, and that's a piiiic case in waiting and we will see how that turns out, I am not sure if that will take a year or two, I am not sure how fast these things go. There is also the, this police accountability campaign, they tried to get this committee together or thing for the police, and it didn't go through. They needed some more votes. That's okay. They have another one. It sounds like a good program. And it sounds like your majority report comes close to fulfilling what that campaign does but not quite. And the minority, or the minority report is even further away from coming across that, so it sounds like those are all good programs, and hopefully we will get them in there. What I am thinking you need is more like when someone is accused of, for example, assaulting somebody, then you accuse a police officer of that. They can go to court and they can represent themselves as a defendant, and they can, you know, there will be evidence and you know, witnesses and all of that, the way everybody else is. I don't think that any special rights should be given to the police. They should be able to face it, if they have done nothing wrong, there will be no problems, you know. But unless we, we do it that way, then there is going to continue to be injustices, I think. We also have to keep an eye on the district attorneys, who are prosecuting attorneys who are putting too many charges on people, including them in the program, and we need to make it safe for everybody. Thank you.

Patricia Annis: 2658 SE 74th. I will order to you lock that door and don't let anybody leave because I don't want to talk to the walls. Patricia, resident of Portland, also lived and traveled all over the country, as a military wife and as a traveling photo journalist. And i've been sitting in the back of the room all night listening to all of the input, and find it interesting that all -- it seems like 95% of the opposition to the majority's report, and to establishing a citizen's review board to oversee complaints

JANUARY 17, 2001

lodged against the police, was a long blue line, and I have only one word, for how I will describe what I have been hearing them say, and that is, arrogant. In that I have repeatedly heard comments, such as oh, what is the word. One officer stated that citizens review board members would not be professionals, and another one stated that the reports of abuse, that they were listening to, by citizens, were grandios. And I find that personally offensive, and I think that one, one of the things that I am hearing is that we are now supporting the majority's report that basically, police officers fear loss of power and control in their realm, and they are also feeling a certain sense of guilt, possibly, but John Douglas of the FBI was former profiler of portrayals of violence, rape and murder and assault, and he says that the three basic components of perpetrators of violence, domestic violence, rape, violent crimes, excuse me, I am losing my train of thought, manipulation, power, and control. And --

Katz: I will let you finish your thought. Your time is up.

Annis: Can I have a couple extra minutes?

Katz: No. Nobody is leaving but no.

Annis: Okay. I have tourette syndrome and I guess these blankouts on what I wanted to say to say, I am sorry.

Katz: Why don't you finish your thought.

Annis: It was that -- I can't believe this. Okay. It was, it was that it seemed like each of the officers that, that testified stated things that would lead you to believe that no matter who made up the citizen's review board, no matter how they were chosen or appointed or elected or whatever, that blanketed as one herd of cattle, all of them would be unprofessional or ignorant or lacking in kind of intelligence and ability that they believe that they have had in policing themselves.

Katz: Thank you.

Annis: And it isn't true. Because we are all members of professions right now, doctors, dentists, teachers, paralegals, et cetera. Thank you.

Katz: Anybody else want to testify that didn't sign up? Okay. Council, do you have any questions? All right. I know it is, some of us start a 5:00 day, so we are a little worn out, but if you have any questions, we can do it now, if not, then I will take a motion to accept both the majority and the minority report, with the understanding that there is still information that the council has asked of the auditor, and still some exploration, and I think each of the members want to pursue. And this will come back to us in one way or the other, and we will have another public hearing on -- yeah, I know you are happy.

Saltzman: So move. [laughter]

Katz: So moved. All right. Do I hear a second?

Francesconi: Second.

Katz: All right, roll call.

Francesconi: Very briefly. Not on the substance but on the process, you know we have a lot of citizens here who spent a lot of time on this and have for years. I guess I am confident for two reasons. That the system we ultimately adopt will be better off. It is because you spent a lot of time on this, and it will be better because of the citizens' involvement, both the prior piac members that have spent a lot of time, and thankless work on this, as well as the citizens in both the majority and minority report, they spent a lot of time. I also believe that there is some common ground in here, that will make the system better. And I believe we need to do a little more work and that we are, done, it will be better, but I believe most of all, like life, we are on a process, and it takes a while to get to where we need to be. And we need to get there together. We are not where we need to be in this process. We can get there, and we kind of have to try to do it together. Aye.

Saltzman: Aye.

Sten: Well, I would like to briefly thank everybody for their thoughtful testimony today and for all the members of the task force, all the work you have done, it is a very impressive report. For those of you who are new to this, this is a key step to have this public hearing. There is a kim more steps to

JANUARY 17, 2001

deliberate this and I am firmly convinced that there is some common ground I find encouraging and also some tough choices that will have to be made because I do feel I do find some of the split and the issues of, of distrust on really what are the two sides they presented themselves tonight, and it didn't have to be that way, people came out and said what they had to say, and so we are going to have to make some decisions. I think the system needs to take some strong steps to reform itself, not to reform itself, for us to reform it together. It will take citizens and the police working together. I am going to spend a little bit of time and I agree with Diane the majority group has done a lot of the research, as has the minority group. I need to spend more time reviewing that. I particularly would like to look at the San Francisco, Minneapolis, San Jose models and see the differences as I move towards -- and also have some more conversations. I think that we have two opposing reports that were presented but that does not close the door as a community to some conversation on this, and I think that there is a real need to keep some of these conversations alive, both between the police force and the activist and this council, and I hope that we can do that over the next probably month or so, as the deliberations go on before we move towards, you know, taking some hard positions and taking a vote because I do -- on one hand it is pretty clear we are going to have to make some tough choices and I also want to start looking ahead to what happens after that, and what could be possible in the interim in terms of building some bridges, and I can see Mr. Ford smiling, I would like to thank the PIIAC members. There has been a lot of criticism of PIIAC and one thing you shouldn't criticize is how many hours that they have put in. The flaws are in the system, not in their heart, and intelligence and the work that they have put in and they do deserve some thanks for that. So I look forward to this. I believe it is probably as difficult work as you have done and we have more difficult work to do, but I feel ready to do it, and feel much more strengthened in terms of being able to think this through because of the testimony and all the long hours you put in and I appreciate it. Aye.

Katz: I am going to vote aye. I do want to thank Mr. Ford, chair of PIIAC and the PIIAC members. We do have a Citizen's Review Group. It isn't exactly what the majority report has asked for, but there are citizens who have taken this job very, very seriously. And have made recommendations to me and to the chief, that we have listened to and we have made some changes, some, some are still in the works, but a lot of them, a lot of them have been accepted by the bureau and changes have been made, and I want to thank the bureau. The PIIAC. I also want to say thank you to our police officers. I watch benchmarks for the city, crime is at a 30-year low. It is the result of the economy. The result of citizens, the result of police officers working with citizens, and I think that some of the examples that we heard tonight of possible overreaction or abuse is because there are some activities and neighborhoods that neighbors have called on the police to monitor over and over again. And unfortunately, sometimes we don't explain to citizens why we are there or why the police is there, and what's going on and consequently, there is a complete misunderstanding and we feel victimized, and I think that that's something that the officers, themselves, are beginning to realize, and those communications need to occur and they need to occur far more frequently so the citizens know exactly what is happening on the street and why it is happening on the street. I also want to share with the council, I don't know if you look at your sea report, that Gary puts out, which is a national model for citizens' comments, national model for citizen's comments on all of our bureaus and services of the bureaus, and of course, I like to make sure that we are ahead of the curve and continually improving, and it is a clear document that with a few exceptions, that there is improvement in every service that the city government provides, and I just want to share with everybody that this was taken after May Day, and the ranking for the police and the satisfaction with police services is still as high as it was in the previous years, I think it slipped by 1%, which is not statistically significant, and people feel safer and feel good about their community and their neighborhood. I want to thank all of the bureaus, but especially the police bureau for maintaining that high level of service to the community. Now, having said all of that, I happen to sit and listen to PIIAC meetings, and I know that some of you have been there frequently over the last couple of months, and there are issues that we need to address as the

JANUARY 17, 2001

council. I have no idea. I know one of the spokesperson said that she knows how I am going to vote. I don't have any idea yet today where I am going to come down on the issues. I still need to identify clearly what I think the problem is. Not the perceived problem, but the real problem and how we can fix that. I also need to comment that in a city of our size, there is a half a million-dollar cost, ongoing cost for -- to, to completely go to an independent review. I think that is a consideration that we, as a council, need to take, as well. If we do it, I certainly don't want the council to underfund it because then it wouldn't work, so it is going to be costly, and that's the kinds of trade-offs that the council will have to make, and I think they have to make it for real issues, not for perceived issues. And so we still have some work to do, but I thank all of you for being here. We will be having a report, it is a work session tomorrow. On may day. It is a work session, so there will be no testimony, but it would be nice for those of you who have commented on may day, to be in attendance tomorrow, and listen to the discussion between other council and the police bureau.

*****: What time?

Katz: I will get to you in a minute. Is it 2:00? 2:00. Okay. Thank you, everybody. I vote aye.

Thank you. We stand adjourned until tomorrow at 2:00.

At 9:55 p.m., Council adjourned.