

CITY OF PORTLAND  
INTER-OFFICE CORRESPONDENCE  
(NOT FOR MAILING)

RECEIVED  
SEP 10 1974

September 9, 1974

OFFICE OF COMMISSIONER  
OF PUBLIC AFFAIRS

*From* Commissioner McCready  
*To* Mayor Goldschmidt, Commissioners Ivancie, Jordan and Schwab ✓  
*Addressed to*  
*Subject* Review of the Offender Patrol Grant

As you know, I asked Mike Opton, of the Security and Privacy Committee, to review this grant application. In discussing it with him, I believe some fundamental questions must be raised which the Council needs to have answered before we are able to decide whether or not to recommend this application. A general analysis finds the grant unclear in the following areas:

1. a description of the activity to be funded;
2. distinguishing the proposed activity from present methods;
3. dealing with the legal problems raised by the program (i.e. how will the National Standards and Goals be adhered to, and the rights of individuals protected);
4. offering a justification of the need for the proposed program;
5. justifying confidence that these new techniques will insure the desired results without adverse effects.

I have forwarded a more specific list of questions to the Criminal Justice Officer with the hope that this information can be made available to Council before a vote is taken.

Sincerely,

COMMISSIONER OF PUBLIC WORKS

CM.wh

Rev. Austin Harper Richardson  
Ad Hoc Police-Community  
Relations Committee  
215 S.E. Ninth Avenue  
Portland, Oregon 97214

September 18, 1974

SEP 19 1974

HUMAN RELATIONS COMMISSION

Police Chief Bruce Baker  
222 S.W. Pine  
Portland, Oregon 97204

Dear Chief Baker:

At a recent meeting of the Ad Hoc Police-Community Relations Committee we heard a representative of the gay community describe Portland police relationships with that group. Susan Reese who is an attorney and who has represented gay clients also was present and shared her viewpoint.

What we heard was a growing concern expressed that a pattern of activity by the police is becoming apparent that is at variance with previous police practice in this city. The representative of the gay community indicated that it was believed that this new approach to dealing with the homosexual population seems to have been initiated with the arrival of Portland's new police chief.

Our committee would like to know whether there have been policy changes that would lend credibility to this concern; also what the statistics are that show what the history of the police bureau's activity vis a vis the gay community has been in the past and what this tells us about present police activity.

We heard talk of entrapment of gay persons by vice squad officers and of the difficult application of a law that seems to make verbal agreement to engage in a sexual relationship an offense rather than actual sexual activity.

Under the present statute it was pointed out, two virgins, whether male or female, could be prosecuted for a crime based on conversation and not an actual happening. Also, the ambiguous nature of what is construed as compensation for an illegal sexual activity as defined under the present statute was discussed. We understood that for an act to be illegal compensation was a required element.

It does not seem appropriate that something as serious as an arrest with the attendant record should be based on an agreement to engage in sexual conduct apart from actual sexual experience.

We were made aware of what the consequences were to a person, gay or not, who is charged with a sexual offense in terms of insurance, credit and housing; also, we were made aware of the ambiguity of street talk in referring to

sexual activity and the problem this presents to the arresting officer who has to make a charge.

I think it would be very helpful if the police bureau policy regarding the enforcement of the law as it applies to the gay community were explained to our committee. We would like to be able to view the problem as seen through the eyes of the police officer. We also would like to know what relationship, if any, the gay community has to more serious criminal offenses. Also, if police attention and policy is to deal only with the visible problem as seen on the street and what the policy is toward bookstores and gay bars.

Our committee meets every Wednesday morning at 7:15 ~~am~~ in the dining hall of Centenary-Wilbur Methodist Church which is located at 215 S.E. Ninth Avenue.

We have been meeting weekly every Wednesday since 1968. Usually there are between 20 and 40 persons in attendance; a light breakfast is served.

Possible dates are as follows: October 16, October 23, and October 30.

Sincerely yours,

Rev. Austin Harper Richardson

cc: Mayor Neil Goldschmidt  
Human Relations Council

AHR/csa

PCR cont

BUREAU OF POLICE  
PORTLAND, OREGON

INTER-OFFICE MEMORANDUM

Date: 28 October 1974

To: Bruce Baker, Chief of Police From: Capt. N.F. Reiter  
(Through Channels)

Subject: MODEL PRECINCT CONCEPT (Structure)

Sir,

The following is provided for your consideration relative to the structure of a "model" Precinct.

PRECINCT GOAL

The goal of North Precinct is to provide the most efficient and effective level of police service consistent with the needs and demands of the residents of the North Precinct geographical area.

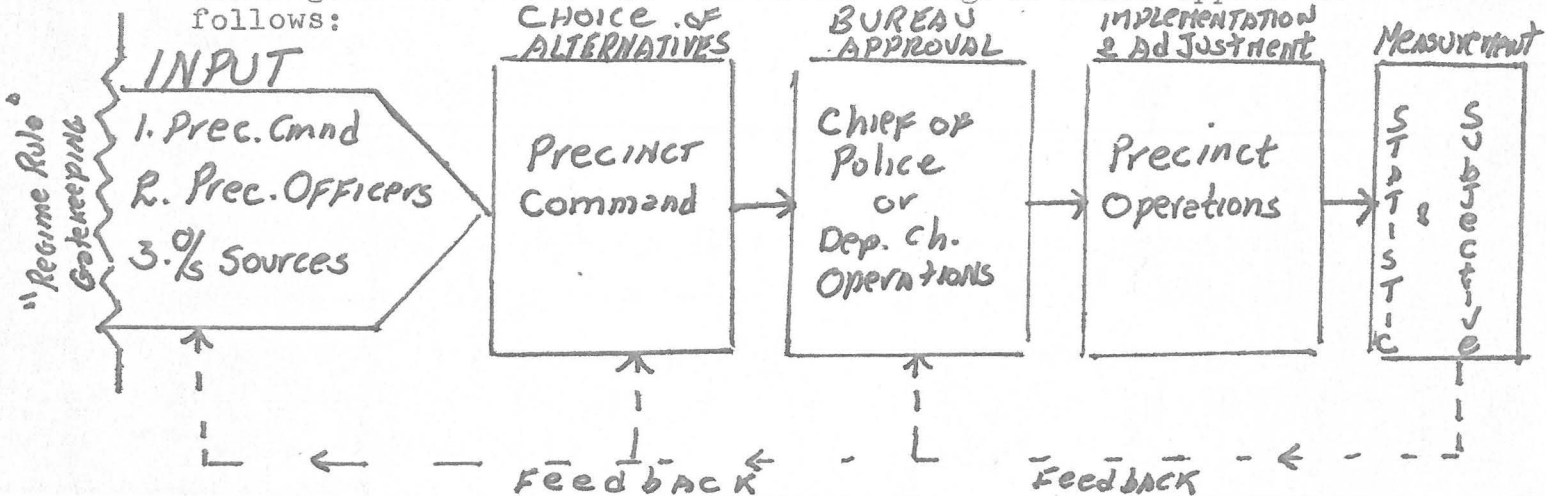
MODEL PRECINCT MISSION

The mission of a model precinct program is to increase efficiency and effectiveness by broadening inputs into the planning phase of the police operation and, thereby, identifying problems and alternative solutions to those problems.

Broadening "inputs" does not involve delegation of the planning responsibility or authority. It does expand data and alternatives from which choice is made. Choice of alternatives remains the responsibility of Command.

PLANNING PROCESS

I respectfully recommend a five-step decision making process. The steps would include Input, Choice of Alternatives, Bureau Approval, Implementation & Adjustment and Measurement. Properly structured these steps will fulfill the planning and implementation requirements as well as provide "gate-keeping" controls and meaningful feedback. An "Eastonian" diagram would appear as follows:



## INPUT

The input phase would involve three basic components. First, the Command structure would still, where necessary, introduce information into the system. This would allow involvement of Bureau and Precinct statistics and policies. Second, the Patrolmen of the Precinct, formed into structured committees, would identify problems in all phases of the Precinct operation, especially in those matters that directly effected the street operation. Third, the outside sources would identify problems of the citizenry as well as expose the citizen's position on matters effecting their policing. The "outside sources" would include the structured Area Committees and Precinct Committee as well as the Press and interested groups and individuals within the Precinct.

The composition of the structured advisory groups is as follows:

### Area Police Advisory Committees

North Precinct will be divided into three geographical areas, each representing the interests of that geographical area and structured to include certain common socio-economic factors. Each will have a Precinct Lieutenant assigned to them. These groups will meet during the first three weeks of the month and process information relative to their area. They will also be informed of Precinct wide happenings of interest to them. They will represent the population and not agencies. They will identify problems of their areas and pose alternative solutions.

### Precinct Advisory Committee

This Committee will be comprised of three members from each of the Area Committees as well as other appointed members who possess skills needed by the Precinct. There will be student representation on this as on the Area Committees. There will also be non-student youth representation. This Precinct Committee will meet with the Precinct Commander during the fourth week of the month and will recommend Precinct wide priorities and alternatives.

To date, Precinct Command has had three community meetings introducing the structure to the people in the areas and have been assured support by several organizations. Attached is a drawing representation of the Input structures.

## STAFFING REQUIREMENTS

Implementation will require both research and stenographic support. At our first discussion you indicated that a Research/Planner, stenographic support, and a coordinator would be made available. I still feel that these people should be specifically assigned to the command structure of this Precinct and not be a "loan" from other organizations in the criminal justice system. A divided loyalty would be fatal to the program.

### LOGISTICAL SUPPORT

The Precinct lacks the physical facilities to house or equip the support personnel. A first duty of the Researcher/Planner will be to locate such logistical support and budget for the program.

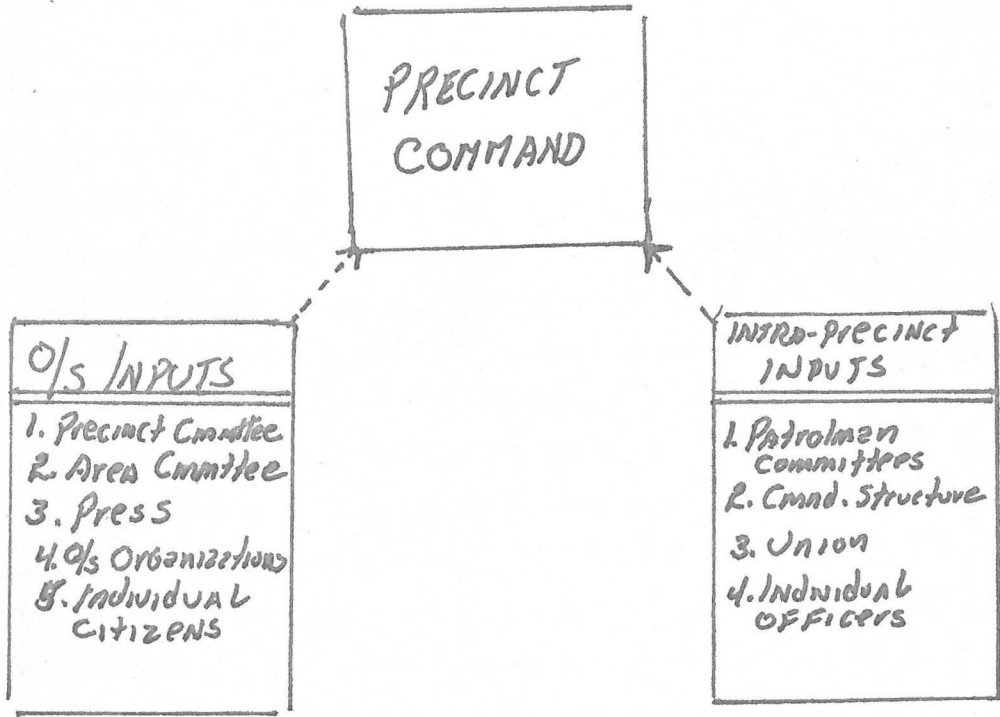
### AREA OF CONCERN

Currently there is no great support for such a program from the Patrolmen. This support will only come as the program is put into effect and as it becomes apparent to the men that their contribution has some meaning. To this point there is no objection, merely some cynacism. The national experience has been that these programs die from lack of support within the police organization.

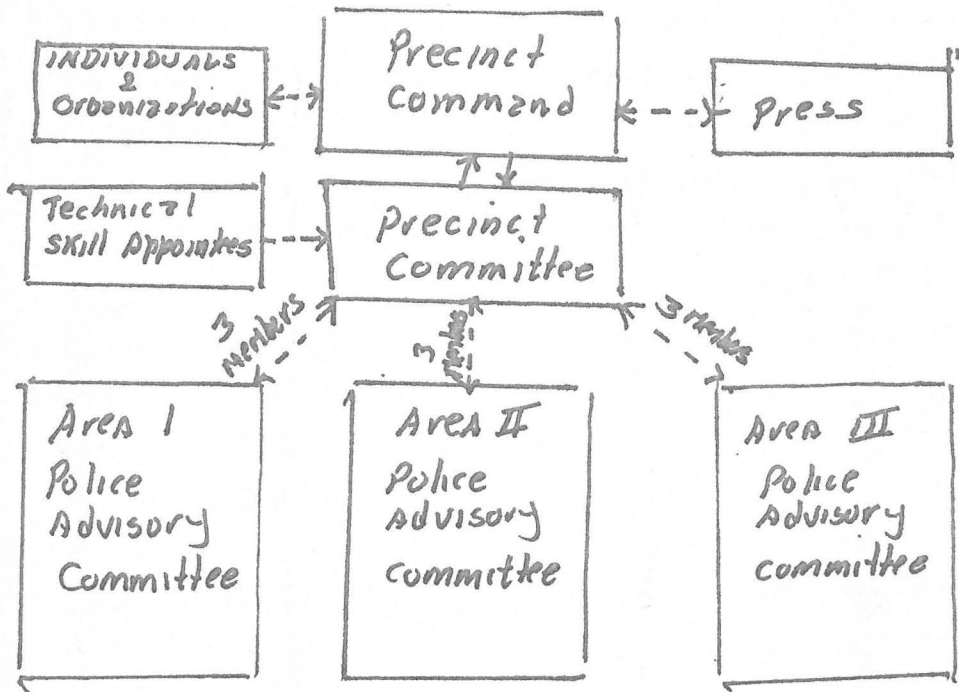
### REQUIRED OPERATIONAL MODIFICATION

It would be both unwise and unfair to expect the Officers to participate on their own time. It is possible to modify Precinct operations to allow a thirty-two hour street work week coupled with an eight hour training and committee participation program. The modification would require prioritizing calls and some adjustments to the Bureau performance measurements now in use.

# PROGRAM INPUT Structure



# Outside INPUT Mechanism



## Social Groups

N + E workers - skilled + loss

Job competition

Race

Prior peer relationships

Burglary high

70% acceptance<sup>ance</sup> in E

higher in N

specific tasks aimed at particular problem

-- Advocacy for non-police programs e.g. vocational school to lessen juvenile crime, street lights



BUREAU OF POLICE  
PORTLAND, OREGON

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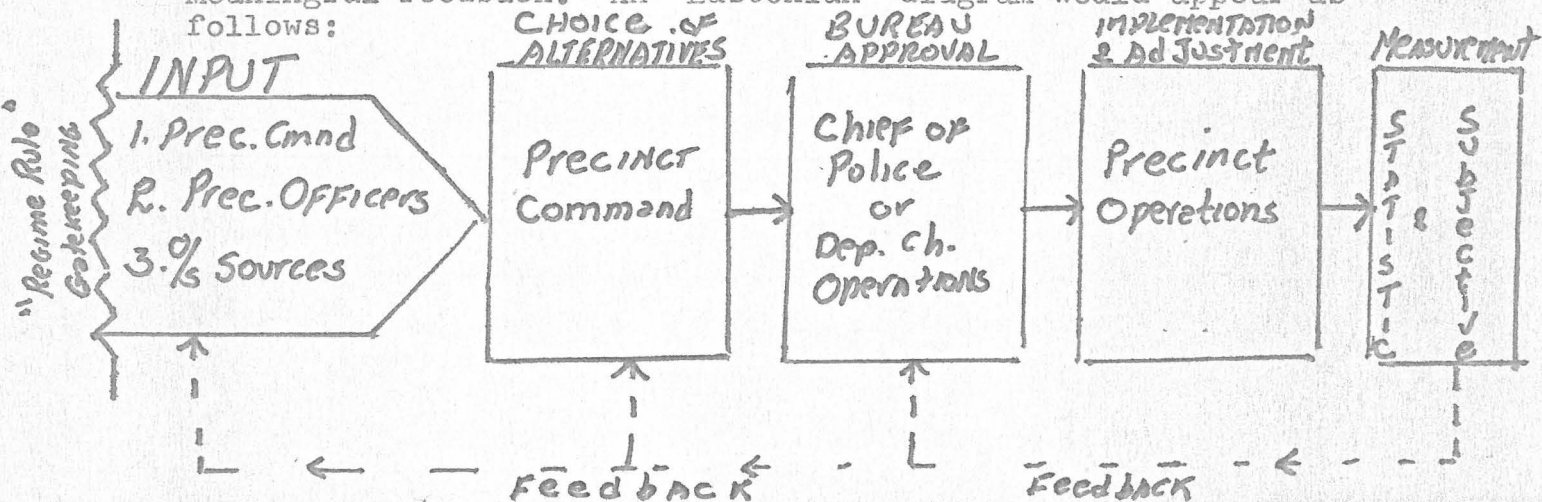
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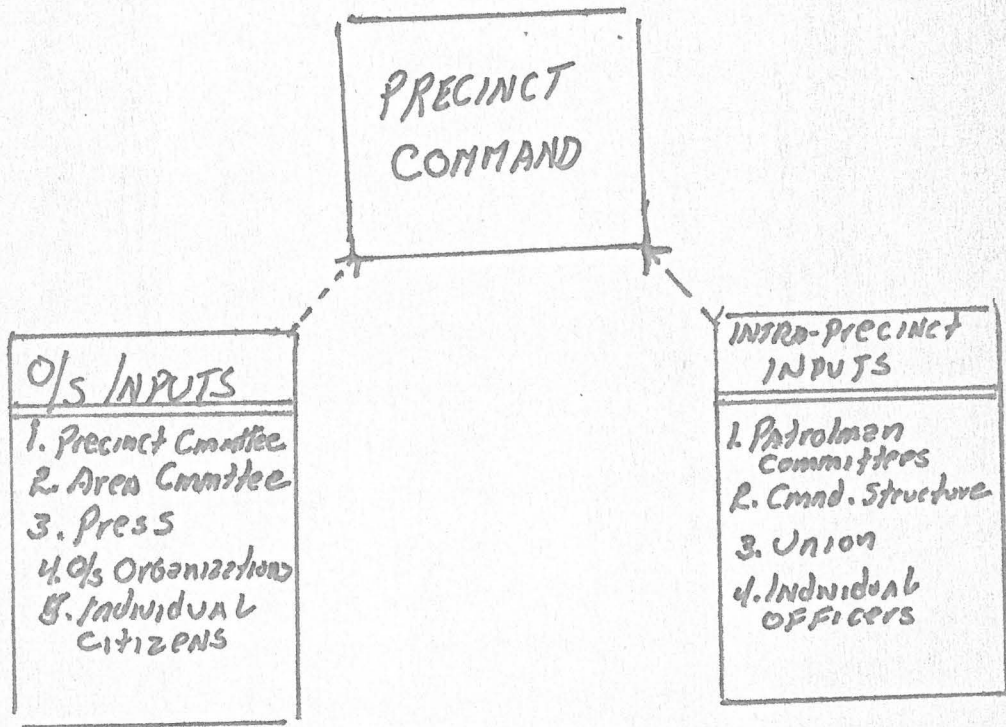
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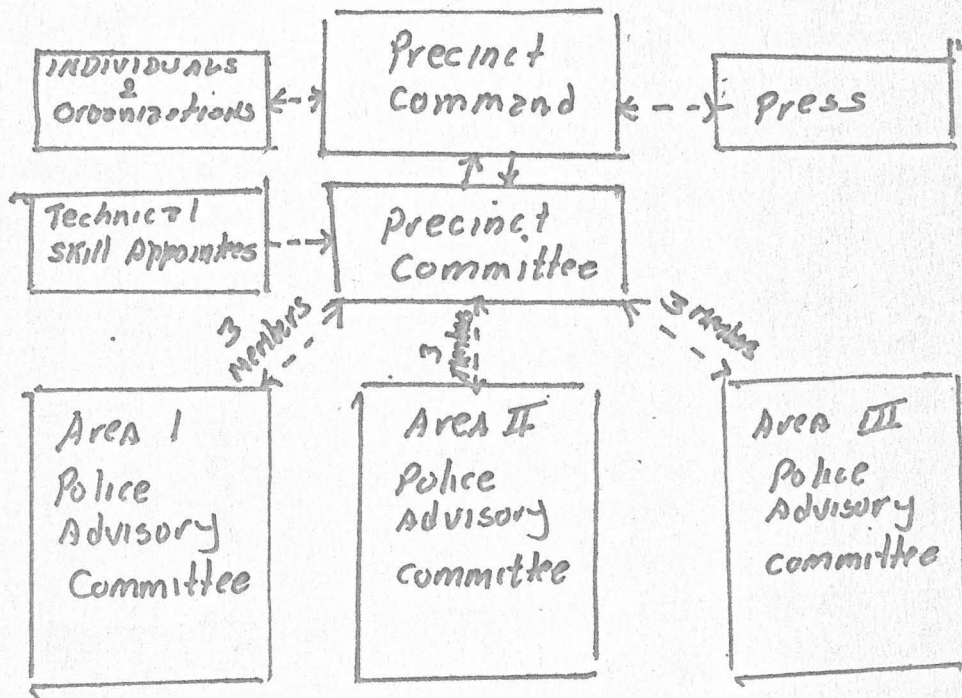
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# PROGRAM INPUT Structure



# Outside INPUT Mechanism



# ORDINANCE No.

An Ordinance creating a new Chapter of Title 3, Administration, of the Code of the City of Portland, to be entitled Security and Privacy Commission, prescribing the manner of appointment and terms of service of members thereof, defining authority, duties, and functions thereof and establishing policies therefore.

The City of Portland ordains:

Section 1. The City Council finds that it operates various information systems both manual and computerized; that the operation of these systems affects the right of individual privacy; that the people of Portland have expressed great concern that their right of privacy be protected; that the effectiveness of information systems is improved through the protection of privacy; that the City in cooperation with Multnomah County is operating the Columbia Region Information Sharing System (CRISS) which provides computerized information services to various local criminal justice agencies; that the federal Crime Control Act of 1973, Section 524 (b) and the Law Enforcement Assistance Administration regulations promulgated pursuant thereto require that the CRISS program provide for the protection of the right of individual privacy; that it is therefore incumbent on the City of Portland to provide for the thorough and effective protection of information system security and the right of individual privacy in the operation of its own criminal justice information systems and such other information systems as the Council deems appropriate.

NOW, THEREFORE, a new Chapter of the Code of the City of Portland is created, which is numbered, entitled and to read as follows:

## CHAPTER 3.96 SECURITY AND PRIVACY COMMISSION

### Section 3.96.010. Purpose, Administrative Responsibility.

(a) This Chapter is intended to govern all issues of security and privacy relating to all information systems which the City Council may include in this Chapter. Such issues shall include but not be limited to physical security, software and

Passed by the Council:

Mayor of the City of Portland

FP:MO:cc  
10-29-74

Attest:

Auditor of the City of Portland

hardware security, information contained in the system, access to information, the rights of individuals and audit/monitoring.

(b) It is the purpose of this Chapter to protect the confidentiality of records and the right of privacy in the operation of information systems over which this Chapter has jurisdiction. This Chapter is intended to reach a balance among the various public interests affected by each information system which is subject to this Chapter and to provide a system for the resolution of issues in which those interests conflict. It is the intent of the Chapter that when those conflicts cannot be resolved without compromising one or the other interest that the protection of the right of privacy will predominate.

(c) To administer and enforce the provisions of this policy there shall be established a Security and Privacy Commission (hereinafter referred to as the Commission).

(d) The City Council may assign additional duties to the Commission as it deems them appropriate.

Section 3.96.020. Security and Privacy Commission: Appointment, Term, and Membership. There is hereby created in full cooperation with Multnomah County a City/County Security and Privacy Commission which shall have overall responsibility for the administration and enforcement of this Chapter.

(a) Appointment:

1. The Commission shall consist of seven (7) members, three (3) appointed by the Mayor, subject to confirmation by the City Council; and three (3) appointed by the County Chairman, subject to confirmation by the Board of Commissioners. The seventh member shall be appointed jointly by the Mayor and County Chairman subject to similar confirmation and shall serve as a voting Chairperson. Vacancies occurring during the course of a members term shall be filled in the same manner as regular appointments.
2. Three (3) of the original members shall be appointed for one year. Four (4) of the original members shall be appointed for two years. Thereafter, each new term shall be for two years. Members serve at the pleasure of their appointing body. A member is eligible for reappointment but no person may serve on the Commission for more than two consecutive terms.

3. The membership of the Commission shall be such that four (4) of its members are not employed by, nor are any members of their immediate family employed by any program, system, agency, business, or other entity which operates, does business with or uses the services of an information system over which the Commission has responsibility. Those above mentioned four (4) members shall be private citizens at least one of which shall be a private attorney substantially involved in the practice of criminal law. The three (3) remaining members of the Commission shall be employees of agencies using the services of a subject information system. All of these three (3) members may not be employed by user agencies having the same or similar function.

(b) Staff: The Security and Privacy Commission shall have a director and such additional staff as may be provided.

(c) Authority: For the purpose of carrying out its responsibilities under this Chapter, the Security and Privacy Commission shall have authority to:

1. Recommend to the appropriate body for adoption policies governing all issues, decisions, and actions concerning the right of privacy, the physical security of the system and the accessibility of the system; and provide for a system of modification of existing policies. Such modifications shall only be recommended upon the approval of a majority of the Commission.
2. Issue regulations, rules, and procedures to carry out adopted policies and provide for a system of modification of such regulations, rules, and procedures.
3. Determine the facts of alleged violations of this Chapter and the regulations, rules, and procedures issued pursuant thereto.
4. Audit and monitor subject systems for matters concerning security and privacy.
5. Order corrections, modifications, supplementation, deletion, purging, and other actions required by this Chapter under its regulations, rules, and procedures and those actions required by statute or court order, and proceed as with any violation when its orders are not followed.

6. Remedy violations of this Chapter including reporting violations to the appropriate body, office or agency for action.
7. Hold hearings.
8. Require the submission of information and reports by any department or agency operating or using a subject information system concerning policies and operation of subject systems, collection and dissemination of subject information, action regarding certain information and any subject information as is required in the course of its duties. Such department or agency shall comply with these requests.

(d) Duties: It is the responsibility of the Commission to...

1. Administer and enforce the Chapter in a fashion that provides, to the extent legally possible, due process to all those affected by the Chapter.
2. Educate the public on the type of information being recorded and other aspects of subject systems in a manner intended to provide the widest possible notice to the public. The task of continuing education of the public rests with the Commission.
3. Report at least annually to the public the results of its audits and investigations.
4. Adhere to the same high standard of confidentiality required of employees of criminal justice agencies. Any access to use or dissemination of subject information by the Commission or its staff not performed in the furtherance of its duties and responsibilities shall be grounds for dismissal, discharge and other appropriate action.

Section 3.96.030. The Columbia Region Information Sharing System (CRISS) is assigned to the Commission for the purposes of this Chapter and shall be governed by the following provisions which are policies, and such regulations, rules and procedures issued pursuant to this Chapter. The CRISS program shall be operated in accordance with the provisions of this Chapter and law in a fair and reasonable manner. This section is intended to deal with all issues of security and privacy involved in the CRISS program.



(a) Audit Procedures:

1. The Commission shall direct independent, periodic (at least annual) audits of matters concerning Security and Privacy including the recordskeeping, data entry, updating, dissemination and other records maintenance procedures for all user agencies and the CRISS Center.
2. The Commission shall make the results of its audits public and shall take such action as it deems appropriate as a result of its audits.

(b) Complaint and Appeal Procedures:

1. Any person who believes any portion of this Chapter has been or is being violated may report such violation to the Commission in writing. Any person wishing to appeal under Section 3.96.030(c)(4) shall submit such appeal in writing. The Commission shall establish procedures that readily facilitate receiving and processing complaints and appeals.
2. An investigation of the complaint or matter appealed shall be undertaken by the Commission itself unless it deems it frivolous in which case notice to that effect shall be given the parties involved. Ordinarily, the Commission will direct a complaint to the involved agency or agencies to investigate the matter and report back to the Commission its findings, any action taken or contemplated, and its intended resolution within the time fixed by the Commission for such report. If no report is forthcoming or the Commission finds after analysis of the report that the matter is not resolved, The Commission may initiate its own investigation, hold hearings, call witnesses in order to reach a resolution of the matter. The Commission may proceed in a like manner with appeals from a challenge.
3. The agencies involved shall cooperate fully in such investigations. Any person claiming to be aggrieved shall be kept informed of all actions taken by the Commission. The Commission upon its own initiative or upon the request of any affected party, may order that any investigation and report thereof be confidential to the extent permitted by law.

4. Commission hearings will be conducted according to procedures established by the Commission which shall incorporate, in so far as possible, the elements of due process.
5. During hearings conducted by the Commission on a complaint or appeal the burden of going forward with specific facts will rest with the party having access of those facts. A challenge to a criminal justice agency record or maintenance procedure will require that the agency or agencies involved provide clear and convincing evidence that the records are correct, current, and complete or the procedure in accordance with law, policy, and rules governing the CRISS program.

If the Commission finds that a violation of law, policy, or rules has occurred, it shall issue such orders to those responsible for action as are appropriate to insure compliance with the law, policy, and rules. Such orders may include recommendations for new policies or modification of existing policies or rules.

6. The Commission shall record all actions taken and recommendations made and annually inform the public of its work and results.

NOTE: The Commission is not the appropriate forum for seeking monetary damages. The judicial process is available for that purpose.

(c) Right to Access and Challenge:

1. Any person or his or her attorney shall have the right to access and challenge his total CRISS record. A parent or guardian shall have the right to access and challenge the CRISS record of his or her juvenile child.
2. The Commission shall develop, in cooperation with user agencies, a procedure for such access and establish internal complaint procedures. In no case shall any fee be charged for any access or challenge. Agencies shall make access available at times and locations reasonably intended to provide access, protect the records, and prevent interference with the regular duties of the agency.

3. Any person may challenge the contents of his or her CRISS record and request that the agency remove, correct, supplement, or take other appropriate action regarding the challenged data and shall state the basis for the challenge on the form, "Challenge to CRISS Record," supplied by the Commission.
4. If a person wishes to appeal from an agency decision, the appeal shall be filed with the Commission; an appeal from any Commission decision may be taken to the City Council or County Board.

(d) Enforcement of Policy:

1. Each user shall be granted access to and/or participation in CRISS by the Commission only after adopting and agreeing by contract to comply with this Chapter's policies and law and promulgating an internal administrative directive. The directive shall define the proper use of data and set forth penalties for violation of the directive, which shall include, but not be limited to, suspension without pay and termination.
2. If a user agency fails to enforce the provisions of this Chapter as set out in its contract or fails to cooperate in an investigation by the Commission, penalties may be assessed by the Security and Privacy Commission including:
  - a. The agency may be restricted to access its own data;
  - b. The agency may be suspended from service;
  - c. The agency may be terminated from service, and;
  - d. A recommendation for other action may be made to the appropriate body.
3. Any failure to enforce the provisions of this Chapter or to obey the order of the Commission shall be treated as a violation of the Chapter and shall be taken to the appropriate body for action. If a decision or order of the Commission regarding a specific case is not obeyed, it will be taken automatically to the City Council or County Board for enforcement. At that

level, the party not obeying the Commission decision or order will carry the burden of showing by a clear and convincing preponderance of the evidence that such decision or order is not in compliance with the governing law, policies, rules, and procedures.

A party not satisfied with a Commission decision or order even though complied with, may also appeal for a hearing before the City Council or County Board and must carry the burden of showing by a clear and convincing preponderance of the evidence that such decision or order is not in compliance with the governing law, policies, rules, and procedures. Provisions will be made by all parties in all such matters for the protection of privacy of any individual involved.

(e) Modifying the Policy:

1. The Commission, upon its own motion or upon request of any person or agency, may make recommendations for modification or amendment of this Chapter to the City Council or the County Board which ever is appropriate. The Commission shall adopt rules and regulations setting forth the procedures by which such modification or amendments shall be considered and adopted. All user agencies and interested individuals will have an opportunity to appear before the Commission to present testimony on any proposed amendments or modifications.
2. All user agencies and interested parties will be notified by the Commission of changes made to the Chapter and user agencies shall acknowledge notification within two weeks.

(f) Access to Data:

1. Except as provided by law or this Chapter only criminal justice agencies shall have access, whether through a terminal or pursuant to an agreement with an agency having a terminal, to information stored in CRISS.
  - a. CRISS terminals shall only be approved for installation and installed in Criminal Justice Agencies after approval by the Commission of a written

application on a form and pursuant to standards and procedures established by the Commission.

- b. Criminal Justice agencies seeking regular access to information stored in CRISS but not requiring their own terminal shall receive it only after obtaining approval by the Commission of a written application on a form and pursuant to standards and procedures established by the Commission.
2. A Criminal Justice Agency is a federal, state, county, or city law enforcement agency, prosecutorial agency, public defender agency, courts with criminal or juvenile jurisdiction, correctional institutions and parole and probation agencies.
3. A Criminal Justice Agency shall not permit any non-criminal justice agency or unauthorized persons to have access to a CRISS terminal. Information obtained from CRISS relating to a specific person shall not be released to any non-criminal justice agency or unauthorized person except as provided by law or authorized by this policy.
4. The following are non-criminal justice agencies within the meaning of this policy: The general public, licensing agencies, employers (both public and private), employment agencies, creditors, credit agencies, insurance companies, private security agencies, the U. S. Military, non-justice public agencies, retired Criminal Justice personnel and Criminal Justice Personnel who are performing inquiries not related to their direct operational duties, and any other person, corporation, unit of government, official or association which is not a Criminal Justice Agency as defined in Section 2 above.
5. When an alleged crime has been reported to a law enforcement agency and that agency is conducting an investigation of that crime, CRISS information may be given to a person and agencies participating in the investigation as is reasonably deemed necessary.

6. Nothing in this policy shall be constructed to prevent access by representatives of the news media to the original reports of crimes, arrests, or police incidents.
7. All inquiries from non-criminal justice agencies shall be directed to the appropriate court.
8. Except for pending cases, information relating to an arrest without conviction will not be given to any non-criminal justice agency.
9. Staff and employees of the CRISS project and the City/County Data Processing Authority shall not disclose information except to user agencies.
10. Whenever any hard copy printout of a person's record is given to an agency or individual outside the control of the user agency, a notation shall be made in the Person's Sub-system of the person involved that a copy of the record was given, citing the name of the agency for which he works and the date given.
11. Whenever an inquiry is made for an employee of the user agency, the terminal operator shall include the name, car, or other identifying number of the person who made the request. This information shall be logged at the computer center.
12. For every inquiry into the person's file, the following type of information shall be recorded and be recoverable within a reasonable period of time by an individual or the Commission for audit, investigation, or challenge purposes:
  - a. date and time of transaction
  - b. inquiring agency
  - c. terminal operator
  - d. inquirer -- identified by name, personal identifying number, or car number
  - e. identity of the individual about whom information is requested.

(g) Research Information:

1. The CRISS Board shall make information available for research purposes and shall keep appropriate records.
2. Any person or non-user agency desiring to obtain data for research purposes shall submit an application in writing in conformity with rules to be established by the CRISS Board.
3. Any data which might identify individuals shall not be released.

(h) Log Tapes will be maintained by CRISS that will record the:

1. Date and time of transaction
2. Type of transaction
3. Terminal operator
4. Inquirer

(i) Information in CRISS:

1. The provisions of this Chapter are drawn in contemplation of a computerized information system containing the information reflected in the documents attached hereto as Appendix I. The items of information marked in these documents with small black triangles are approved for entry into the system.

The operators and users of the system shall maintain the information in the system in accordance with this Chapter and law in a manner intended to protect the confidentiality of information and the right of privacy. Information maintained by the system shall be current, accurate, complete, and pertinent.

The Security and Privacy Commission shall be informed at the earliest possible time of any contemplated additions to or modifications of the system's data elements. The Commission may participate in the planning and development process. When the Commission determines that a contemplated change in the data elements affects the security of information or the right of privacy, the agencies and employees of the system shall be so informed.

Any such changes in the data elements shall require a justification to be submitted to the Commission. Such justification shall include, at least:

- a. A full description of the proposed change.
  - b. The need and the data supporting the need.
  - c. A statement of the impact of the change on the security of information and the right of privacy.
  - d. Any action necessary to protect privacy and security.
2. No data may be entered or maintained on the computer unless it is based upon a readily identifiable numbered source document maintained in the agency entering the data.
  3. Data about an individual shall not contain, in narrative or codes, statements with evaluative, conjectural, or judgmental content.
  4. Any juvenile information maintained by law enforcement agencies may be computerized.
    - a. Information relating to warrants, verified suspects, runaways, missing victims, witnesses, or complainants will be available on a regional basis.
    - b. All other information about juveniles will be available only to Criminal Justice agencies within the County from which the entry originated.
  5. A person's record may be flagged "CAUTION" for...
    - a. Behavior dangerous to a police officer
    - b. Behavior dangerous to self
    - c. Attempts to elude



... only if that person has been convicted of a crime or committed by a court to a mental institution based upon such traits.

A person may be identified as "armed and dangerous" or "armed" on warrants and entries of verified suspects.

6. Hazardous locations may be flagged if they refer to the following, as recommended in the CRISS plan:
  - a. Assaults on officers
  - b. Assaults with weapons
  - c. Serious assaults without weapons
  - d. Family disturbances
  - e. Chemicals or explosives stored
  - f. Weapons stored
  - g. Invalid in house

Actual notice shall be provided to locations when flagged as hazardous and periodically every 180 days as long as so flagged.

7. Persons listed only as complainants, victims, witnesses must be clearly identified as such in every response.
8. Verified suspects as described by CRISS may be entered into the system.
9. Field contact reports shall not be entered into CRISS persons' records.
10. CRISS may contain an index to intelligence files. This index will consist of user agencies' names and file numbers only.
11. When a person files an appeal from an adverse agency's decision on a challenge, that appeal shall be noted on the appropriate record identifying the information as under dispute.

(j) Removal of Records:

1. Purge parameters shall be established by the Commission for all data entered into CRISS.

2. The Commission shall supervise any requirement that CRISS records be purged or expunged.
3. The following purge criteria shall be applied to records in the law enforcement files:
  - a. Any arrest without disposition of guilt shall be purged from the system after 90 days unless at the 90 days' time, the individual is or has been a fugitive or trial is set.
  - b. Cleared verified suspects shall be purged immediately. A cleared verified suspect is a person who was suspected of committing a crime but later cleared suspicion.
  - c. Suspect data shall be purged after six months.
  - d. Records of juveniles shall be purged where there has been no entry of data during the two previous years other than victims, complainants, witnesses, or dependency data.
  - e. Records of adults shall be purged two years after the death of the individual or ten years after the individual has been released from the jurisdiction or supervision of any criminal justice agency.

(k) Definitions:

1. CRISS an acronym which stands for Columbia Region Information Sharing System; in concept, CRISS is an information sharing system for a five-county area in a central common data base, accessible by all Criminal Justice agencies, utilizing computer hardware and techniques.
2. CRISS Record all information relating to a specific named person stored in the CRISS system.
3. DPA City/County Data Processing Authority.
4. Data Security the protection of data against accidental or intentional destruction, disclosure or modification using both physical

security measures and controlled accessibility.

5. Erase to remove the criminal information from the system in such a manner that there is no trace of the information removed and no indication that the information was removed.
6. Expunge the act of complying with state statutes regarding expungement.
7. Hardware the physical computer equipment such as the central processing unit, core memory, input/output devices and mass storage.
8. Index a means to locate information.
9. Physical Security achieved through the use of locks, guards, badges, personnel security clearances, and administratively controlled measures required for the protection of the structures housing the computer and related equipment against damage from accident, fire, and environmental hazard, thus, ensuring the protection of their contents.
10. Purge to remove data from the on-line system and place it on magnetic tape.
11. Security and Privacy Commission a council possessing authority to adopt and administer security and privacy regulations in implementation of the CRISS Security and Privacy policy.
12. Software the executable code that accomplishes specific tasks within the computer system.
13. User An agency contracting with CRISS for data processing services.

CHIEF'S OFFICE  
Bureau of Police  
Portland, Oregon

NOV 26 1974  
HUMAN RELATIONS COMMS.

November 7, 1974

1974 Memo G.O. #6, Annex H  
To: All Concerned  
Subject: INTERNAL AFFAIRS DIVISION (Organization and  
Procedures)

This annex supersedes 1973 G.O. #15.

### INTRODUCTION

It is essential that public confidence be maintained in the ability of the Police Bureau to investigate and properly adjudicate complaints against members. The rights of the employee as well as those of the public must be preserved, and any investigations arising from a complaint must be conducted in an open and fair manner with the truth its primary objective.

### OBJECTIVES

The Internal Affairs Division shall give directions and increased professionalization to the Police Bureau by reflecting community expectations and service needs through investigation and evaluation of complaints and misconduct or failure to serve on the part of the Bureau. This Standard Operating Procedure is a description and reference regarding the purpose, responsibility and tasks of the Internal Affairs Division. It is written to:

1. Establish a policy for the Internal Affairs Division.
2. Be a written reference for outside inquiry.
3. Establish uniform performance within the division.
4. Outline measurements of performance.
5. Be a guide for interim authority in the absence of the division commander.
6. Increase professionalization of the division.

### DUTIES AND RESPONSIBILITIES OF INTERNAL AFFAIRS PERSONNEL

The Internal Affairs Division consists of a commander who is a Lieutenant and three investigators who are Sergeants. The "chain of command" or flow of accountability is from Sergeants through Lieutenant to the Chief of Police and the "chain of authority" flows inversely from the Chief of Police to the Sergeants. The Internal Affairs Division reports directly to the Chief and acts with his authority and in his name.

The Internal Affairs Division office is contained within the main Police Building located at 209 S.W. Oak and is open during regular business hours, Monday through Friday.

## DIVISION COMMANDER

The operations of the Internal Affairs Division shall be directed by the Commander, a Lieutenant. The Lieutenant's function is to receive, record, assign for investigation and review of all cases, and maintain records of investigations of alleged misconduct and the actions taken. The Lieutenant will serve as an administrator with staff and limited line functions. The Commander shall act as a liaison to all divisions of the Police Bureau and will be responsible for:

1. Maintaining channels of response by officers and commanders to Internal Affairs' investigations.
2. Advising in investigations.
3. Advising the Chief of Police regarding priority investigations.
4. Investigating special cases which are assigned by the Chief.

## INVESTIGATORS

Investigators assigned to the Internal Affairs Division will hold the rank of Sergeant. They shall be responsible for individual case investigations. It is their responsibility to pursue every available channel of information using all investigative techniques which are lawful and necessary for the successful culmination of an impartial investigation. It is the investigator's responsibility to make these investigations as objectively and fairly as possible to maintain the highest degree of confidentiality and to safeguard the rights (to privacy) of members and citizens who are witnesses, accused, or in any way involved in the investigation.

It is in the investigator's responsibility to initiate or institute cases which are brought to or come to his or her attention through the course of duty. The investigator shall keep the Commander advised of the status of priority cases, and, to a lesser degree, routine cases.

Investigators shall serve as a liaison between officers and other members involved in routine investigations and the Commander. They shall also maintain liaison between the other divisions with which they are essentially tied for the completion of the investigations. The investigator shall maintain and keep current the worksheet contained within the cover of each case. He or she shall follow its directives as applicable. Investigators shall also maintain the time card with relevant documentation as to the time spent on case investigations. Investigators are responsible for inter-office communications which will be contained within the case files and directed to the Commander of the division.

## JURISDICTION OF THE INTERNAL AFFAIRS DIVISION

The incidents which will be investigated by the Internal Affairs Division are: alleged lack of service by the Bureau and alleged or suspected violations of statutes, ordinances, orders, departmental rules, regulations or policies by members, sworn and civilian, including temporary employees of the Bureau. The incidents include:

1. Those reported to supervising or commanding officers by members of the Bureau, either orally, or in writing, by telephone or correspondence, either signed or anonymous.
2. Those observed by supervising or commanding officers.
3. All complaints and inquiries of citizens, businesses, and other agencies.

## COMPLAINTS

The Internal Affairs Division shall accept any and all complaints and inquiries from citizens and shall make every effort to make such inquiry convenient. Upon request, the standard comment form shall be mailed to the complainant. Each precinct shall maintain a supply of the standard comment forms and members shall render any needed assistance for the form's completion and shall cause the form to be forwarded to the Internal Affairs Division. The Commander of the division, or, when absent, an investigator, shall receive all complaints.

Commonly, citizen's complaints are received by telephone, in person, or by a letter and are directed to:

1. The Internal Affairs Division.
2. The Chief's Office.
3. The Mayor's Office.
4. An outside agency.
5. A precinct.
6. Other Bureau divisions.

Information such as complainant's name, address and telephone number, date, time, and place of alleged transgression, the information identifying the member of the Bureau to whom the allegation of wrongdoing was first reported and the manner in which it was transmitted to the investigator, the nature of the complaint and other information of the person making the complaint shall be entered, if available.

## RECEIPT OF COMPLAINT

All complaints to the Bureau shall be referred to the commander of the Internal Affairs Division for the issuance of a case number and, if appropriate, shall be assigned to a Sergeant for investigation. Each complaint is to be reported as soon as possible.

Alleged or suspected violations will be reported to the Internal Affairs Division by the member who first received the information of the alleged violation, even if it is believed to be unfounded. Members are authorized to report directly to the Internal Affairs Division Commander or its investigators.

Any member of the Bureau who justifiably feels threatened by a false accusation or a contrived situation involving false evidence may request an investigation by the Internal Affairs Division. This may be done without a report, written, or verbal, to the member's superiors and may bypass the chain of command.

A bound log book shall be maintained by the Commander and will contain sections to accommodate complaint information. When the complaint is registered in the log book and the case file is made up, it shall be assigned to and maintained by an investigator until completion or called for by the Commander.

#### COMPLAINT PROCEDURE

The purpose of the complaint procedure is to standardize complaints and inquiries received from citizens or members of the Bureau regarding the conduct of members and the policies of the Police Bureau. In assigning the case number and the case file to the investigator, the Commander shall place a worksheet and copy of the complaint in the file and deliver the file to an investigator. Complaints shall also be classified and subcategorized as follows:

- |                           |                           |
|---------------------------|---------------------------|
| 1. Missing Property       | 7. Misconduct             |
| 2. Excessive Force        | 8. Bureau Procedure       |
| 3. Attitude               | 9. Officer Procedure      |
| 4. Failure to take Action | 10. Harassment            |
| 5. Rude Conduct           | 11. Other as it may apply |
| 6. Unlawful Arrest        |                           |

The Commander shall also assign a classification of "routine" or "priority" to each case file. Cases of a serious and sensitive nature requiring immediate attention will be classified as priority cases for special handling. Cases requiring specific follow-up attention such as brutality, missing property, excessive force, sexual misconduct or dishonesty shall receive a priority classification. The purpose of priority investigations is to designate a system to follow so that immediate action is taken on cases of a serious and sensitive nature. This will prevent such cases from being delayed by daily routine reports.

Cases with routine followup action or which are pending reports from officers shall receive a routine filing designation and be maintained together as such.

The Commanding Officer will detail a member of the unit to conduct each investigation. The Commanding Officer of the division

will be responsible for insuring a complete and expeditious investigation and may detail other members of the unit to assist in the investigation or to continue the investigation when the initial investigator is off-duty or otherwise unavailable. Also available to the investigator are all Bureau divisions, under the authority of the Chief of Police, to assist in the conduct of a successful and impartial investigation.

Progress reports on major cases shall be made to the Commander to insure that the status on these cases is kept current and that all undeveloped leads are worked to the conclusion of the case.

### INVESTIGATIVE PROCEDURES

The investigator will handle each case referred in the same professional manner as he or she would any other serious police investigation were he or she assigned to a criminal investigative unit. The investigator shall prepare detailed reports listing witnesses, statements, evidence and any other pertinent information. All cases will be followed up immediately and will be completed in the shortest possible time. Investigative techniques shall include the use of departmental records and files, surveillance, interviews, the preparation of inter-office memoranda and the monitoring of radio tapes.

As the investigator receives the case folder, he or she shall immediately cause a letter to be sent, acknowledging the receipt of the complaint to the complainant. This will include an approximate time of completion. In cases where completion of investigation is delayed, an additional letter will be sent to the complainant with the assurance that the investigation is continuing. These letters shall be over the Chief's signature and copies of the same will be maintained in the case file. A record of these letters shall also be recorded on the worksheet within the case folder.

Appropriate boxes on the worksheet will be checked as to how the complaint was received. The worksheets shall also include the members involved, the classification code, date received, case number and to whom assigned. It shall list enclosures, such as the complaint, the members' report, case report, acknowledgement letter, investigator's report, progress report, Chief's completion letter and the investigator's completion call. Space is provided for recording the date the case was worked and the total number of hours invested.

### RESPONDENTS

All members of the Bureau are responsible for responding to investigations by the Internal Affairs Division. Such response may be in writing or verbal. The form of the response shall be left to the discretion of the investigator. All members who respond in writing to the Internal Affairs Division, shall, upon



the request of the investigating Sergeant, make reports on inter-office memoranda directed to the investigator. A copy of this may be made for the member's supervisor or commanding officer. However, it is not to be submitted through channels and is subject to the approval of the investigator and not the member's Commanding Officer. Accordingly, respondents are responsible to Internal Affairs Division investigators and response from them shall be appropriate to the emphasis and needs of the investigator. Reports made by the respondent shall be factual, accurate and as inclusive as possible. Written statements may be taken from the accused person and from witnesses and complainants when they are helpful or desirable in arriving at a sound conclusion.

### INTERVIEWS

In the event that a member is being investigated for an infraction or violation of a Bureau rule which would not result in dismissal or criminal action, he or she will be expected to cooperate and submit the reports as required within the Manual of Rules and Procedures. At the outset of the interview, a member shall be made aware of the specific allegations which are being made so that he or she may respond accordingly by oral or written report.

In all cases that could result in dismissal from the Department or could result in criminal action, a formal interview format shall be followed:

1. Every member who becomes involved in an Internal Affairs investigation of this severity shall be advised at the time of the interview that:
  - a. He or she is suspected of committing a criminal offense.
  - b. He or she is suspected of misconduct that would be grounds for termination, suspension, or other disciplinary action.
  - c. He or she may not be qualified for continued employment.
2. Any employee who becomes the subject of criminal investigation may have and will be so advised of having legal counsel present during all interviews. This representation by counsel is confined to counseling and not actual participation in the investigation.
3. The employee under investigation must, at the time of the interview, be informed of the name of the investigator in charge of the investigation and the name of the officer who will conduct the interview if they are different.

4. The employee shall be informed of the nature of the investigation and if he or she is a witness or a suspect before any interview begins. Information will be included necessary to reasonably apprise members of the allegations of such complaint.
5. The interview of an employee shall be at a reasonable hour, preferably when the employee is on duty unless the circumstances of the interview dictate otherwise.
6. Interviewing shall be completed within a reasonable time and shall be done under circumstances devoid of intimidation or coercion. In all major investigation interviews the employee shall be afforded the opportunity and facilities to contact and consult privately with an attorney of his or her own choice before being interviewed. The employee shall be entitled to reasonable intermissions that he or she shall request for personal necessities, meals, telephone calls and rest periods.
7. All interviewing shall be limited in scope to activities, circumstances, events, conduct or acts which pertain to the subject's investigation.
8. The employee will not be threatened with dismissal or other disciplinary punishments by the Internal Affairs Division as a guise to attempt to obtain a resignation. Nor shall he or she be subject to abusive or offensive language or intimidated in any other manner. No promise of reward shall be made as an inducement to answer questions.

#### REPORTS

At the conclusion of an investigation the investigator shall submit a report to the Division Commander on an interoffice memorandum.

These reports will detail the charges made and the evidence that was gathered during the investigation.

Based on the compiled facts, the investigator will recommend a complaint be resolved and classified into one of the following four categories:

1. Sustained - where the allegation is supported by a preponderance of the evidence.
2. Not sustained - where there is insufficient evidence either to prove or disprove the allegation.
3. Exonerated - where the alleged act did, in fact, occur but the act was justified, lawful, and proper.
4. Unfounded - where the allegation is found to be false.

Evaluation in terms of the complaint being sustained, not sustained, exonerated or unfounded shall be referenced to:

1. The criminal statutes of the United States, State of Oregon, and ordinances of the City of Portland.
2. General and Special Orders, S.O.P.'s, Manual of Rules and Procedures and verbal orders given by superiors.

#### CASE REVIEW AND DISSEMINATION

All completed cases will be reviewed by the Division Commander to determine if there are any discrepancies, omissions or irregularities or if the case file is devoid of any required reports, documents, etc.

The Commander will determine if the investigation is administratively correct. Should anything be found to be amiss, the Commander will bring it to the attention of the investigator and together they will determine the influence this will have on the outcome of the case. If necessary, steps will be taken by the Commander for correction. The Commander may make corrections or additions or return the case to the responsible investigator for appropriate action.

When the investigation results in a determination of unfounded, exonerated or not-sustained, copies of the report will be sent to the member involved and his or her commanding officer. These copies shall be marked "NOT FOR 201 FILE." The foregoing will not apply if the investigation produced information which is highly confidential in which case the decision on dissemination shall rest with the Internal Affairs Division Commander.

When an investigation results in a determination that the allegation is sustained, the report will indicate the rule, general order, statute, etc., that was violated.

Sustained complaints will be forwarded via the involved Deputy Chief to the employee's Commanding Officer to examine and study the results of the investigation. The Commanding Officer will review the case and forward recommendations to the appropriate Deputy Chief within ten days after receipt.

The involved Deputy Chief will then make a recommendation and forward the case file and recommendations to the Chief of Police for review and approval.

The appropriate entries will be made in the employee's personnel file when a sustained complaint results in disciplinary action. No reports or entries will be made in an accused employee's personnel file when an investigation has been classified as not-sustained, exonerated or unfounded.

Personnel assigned to the Internal Affairs Division will make no recommendation as to disciplinary action nor will they be responsible for the initiation of any disciplinary action. Personnel assigned to the Internal Affairs Division will not be eligible or required to sit on Hearing Boards.

#### RESPONSE TO COMPLAINANTS

In all cases, regardless of the disposition, the complainant is advised of the results of the investigation by a letter and/or a telephone call.

Letters or calls are to be made by the investigator with the approval of the commander, and, if in letter form, shall be over the signature of the Chief of Police. Letters will be prepared to inform the complainant of the outcome of the investigation but will avoid any legal implication or commitment. The writer shall attempt to avoid a form letter of insincere complacency.

The general outline of a sustained letter will indicate that:

1. The investigation has been made.
2. The alleged misconduct was sustained by the evidence.
3. The appropriate corrective action has been taken.

A not-sustained letter will indicate that:

1. An investigation has been made.
2. Appreciation for bringing the matter to the attention of the Bureau.
3. The lack of evidence for a successful completion of the case due to lack of evidence regarding the suspected misconduct.
4. An invitation for further inquiry.

If the complaint is unfounded or exonerated, the letters should include:

1. A reference to the investigation.
2. An explanation why the complaint was termed unfounded or exonerated.
3. A note of appreciation for bringing the matter to the attention of the Bureau.
4. An invitation for further inquiry.

In all letters there shall be reference to the phone number of the Internal Affairs Division with an invitation for further inquiry into the case.

#### POLYGRAPH EXAMINATION

A polygraph examination or reference to such an examination shall

not be used as a technique of the Internal Affairs Division except when specifically approved by the Chief of Police after an evaluation of the evidence has been made and all other avenues of investigation have been exhausted. Where practicable, the polygraph shall not be administered by the Portland Police Bureau, thereby safeguarding the confidentiality of the case. It shall be controlled in terms of the investigation at hand and not as an exploratory measure for other matters or to bring other violations to the attention of the division.

#### BRUTALITY COMPLAINTS

As a general rule, complaints of brutality should be handled in accordance with the regular provisions of this procedure. It is recognized, however, that some complaints of brutality are made as a defense tactic in the course of a trial or a criminal case. It is not intended that the Internal Affairs Division machinery should be used for defense purposes. When a complaint of brutality is made in the course of a criminal proceeding, a complaint number should be issued; but the case may be suspended until a judicial finding is reached. The judicial case finding, however, shall not be binding upon the investigator.

#### PERSONAL DEBTS

This is a contingency section concerning violations that may have reference to personal debts or indebtedness of a member. The Bureau recognizes that it is a serious transgression for a member of the Bureau to neglect to pay his or her debt within a reasonable time. It is also aware that, because of the nature, frequency, and varying seriousness and validity of the individual complaints of this type, procedure must be established to facilitate investigation or a settlement. Therefore, the Commander of the Internal Affairs Division, after receiving the complaint, will inform the complainant that he or she must address a letter to the Internal Affairs Division. The letter to the Commander should contain particulars of the debt, its justness, time overdue, number of previous complaints, previous credit transactions, information from other creditors and such information that is available from the complainant. The Commander will then determine the validity of the complaint, the action to be taken, if any, and the responsibility the Bureau may have to continue the investigation. An investigation of this nature may include the evaluation of total indebtedness against the member's ability to pay. Every effort should be made to ascertain if the refusal to pay is based on a disputed debt or usurious interest. A member should not be forced to enter into an arrangement with one creditor which would make it impossible for the member to pay his or her other creditors a fair and proportionate amount, or to reasonably support his or her family with the necessities of life.

#### OFFICE FILES

Records of the Internal Affairs Division shall be contained within

their offices. These records shall consist of:

1. Filing cabinets containing all case files which have been investigated and resolved by the Internal Affairs Division.
2. A log book listing numerically complaints taken by the Division.
  - a. Complainant's name, address and phone number.
  - b. The date.
  - c. Officers involved.
  - d. Classification.
  - e. Investigator assigned.
  - f. Disposition.
3. Interview tapes.
4. 3 x 5 card files consisting of an alphabetical listing of all complainants.
  - a. The card shall also contain information concerning the complainant:
    1. Address and phone number.
    2. Complaint numbers.
    3. Dates of complaints.
    4. Classification.
    5. Resolved status.
    6. Officers involved.
5. 3 x 5 card file which will contain an alphabetical listing of:
  - a. Officer involved.
  - b. Complaint file number.
  - c. Dates.
  - d. Resolved status.

All files, reports and information which are a part of the Internal Affairs Division shall be considered confidential.

#### OFFICE SECURITY

Due to the confidential status of investigations handled by the Internal Affairs Division, extreme care shall be taken in control of files, written materials, and case work. Whenever practicable, log books, filing cabinets, files, desks and case work shall be maintained in a locked status. Whenever members of the division are leaving offices unattended, doors shall be locked and case files placed in locked desks. When non-division members are within the offices of the Internal Affairs Division, case work shall be maintained in a confidential manner by securing it within desks.

## CONFIDENTIALITY

Due to their sensitive nature, all files, reports and information which are contained within or has come to the attention of the Internal Affairs Division shall be considered confidential. The need for confidentiality regarding this information is self-evident, but is specifically emphasized here for the protection of witnesses, informants and respondents, so no disclosures of information will occur that would be detrimental to the prestige, personal esteem or reputation of any citizen, member, or respondent.

All reports written by an investigator for the Internal Affairs Division will be referred to the Commander of this division, or, when absent, to the Chief of Police. Release of Internal Affairs' information contained in files of the division must be approved by the Chief of Police.

Any inquiry for information which is received from any person, agency, or law enforcement officer of this or any other agency, is to be initially refused and access denied to information from the Internal Affairs' files until evaluated by the Commander. The name shall be obtained of the agency or person inquiring and a report shall be forwarded to the Commander of the unit for such dissemination if approved.

## COMMENDATIONS

If, during the course of these investigations, it is indicated that the conduct of a member of the Bureau or a citizen is worthy of commendation, such a recommendation, accompanied with the facts, shall be forwarded to the Commander. The Commander shall present this information to the Chief of Police for appropriate action. It shall be viewed as an official recognition and appreciation for meritorious acts of public safety, restraint, or superior conduct by officers or members of the Bureau. This shall also apply to those meritorious acts in the public safety performed by citizens where they have rendered assistance to the Police Bureau or its members which contributed to enforcement, arrests, solving cases or valuable information. The procedure shall be to submit a formal, official recommendation, portions of the police report containing pertinent information and specific reasons for commendation through the Office of the Chief of Police.

FED/psh

65-74/75

Dolores L. Kozzi

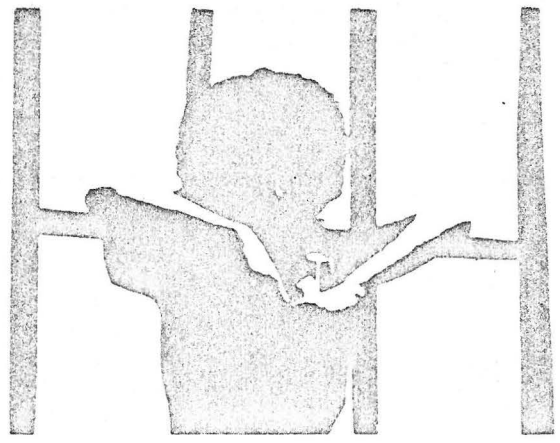
# WOMAN INMATE KILLS WOULD-BE RAPIST

(CPF) On August 27, Clarence Alligood, a guard at the Beaufort County Jail in Washington, North Carolina, was found dead in a cell. Alligood had been killed with an ice pick normally kept in his desk drawer. His body was naked from the waist down except for his socks, and his shoes were lying in the hall outside the cell.

Joanne Little, the occupant of the cell, had fled. Eight days later she turned herself in to state authorities in Raleigh and told her story.

Little, a 20 year-old black, had been in the jail for three months pending an appeal of a conviction for breaking and entering. She was the only woman in the jail where all the guards were white males. She stated that killing Alligood was self-defense; he had made sexual advances toward her once before and on the night of the 27th he had tried to rape her.

Little said that Alligood entered her cell about 3 a.m., having taken his shoes off outside the cell, and threatened her with an ice pick. As Alligood was undressing, she grabbed the pick, stabbed him several times, and then fled. Sperm



epf

found on Alligood's clothes supports this account.

Joanne Little's case has attracted considerable attention. It raises important questions about racism in the courts and in the jails, about the treatment of women in prison, and about the right of women to defend themselves against rape.

## HARSH TREATMENT

The state has treated Little harshly so far. She was held, until recently, in solitary confinement at the Women's Prison in Raleigh. During the bond hearing she was shackled so tightly that she could not

even rise to greet her supporters. Bond was set at \$100,000.

Joanne Little's lawyers feel they face a difficult trial. The racial attitudes in eastern North Carolina, where Beaufort County is located, would probably make a fair trial there impossible, so defense lawyers are trying to have the trial transferred to the central, or Piedmont, section of the state.

Lawyers must also deal with Little's earlier conviction on charges of breaking and entering. Although she had wanted to appeal this charge, her previous lawyer didn't file all the papers in time. A court recently ruled that she must begin to serve a 7-10 year sentence. However, her present lawyers did secure an evidentiary hearing into why her appeal was not filed.

The mail that Joanne Little has received from friendly people has been a major factor in keeping her going. Anyone who wishes to write to her can, at 1034 Bragg St., Raleigh, N.C. 27610.

Also, defense lawyers, who are working for free, estimate that an adequate defense will cost at least \$20,000. You can help by contributing to the Joanne Little Defense Fund, PO Box 1003, Durham, N.C. 27702.





**METROPOLITAN HUMAN RELATIONS COMMISSION**

Multnomah County — City of Portland  
410 City Hall ■ Portland, Oregon 97204 ■ 248-4187

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~~XXXXXXXXXX~~  
~~XXXXXXXXXX~~  
Vernon Summers  
Director  
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March 7, 1975

POLICE COMMUNITY RELATIONS COMMITTEE MEETING

The Police Community Relations Committee met at 12:00 noon in the MHRC office March 3, 1975. Present were: Chairman William Jackson, Marlene Bayless, Dave Van Wagner, Julie Sterling, Paul Olson; Chief Bruce Baker, Capt. William Taylor, Norman Monroe, Police Bureau; Arnold Gerardo, Multnomah County Sheriff's Office; and Mary Edwards, National Conference of Christians and Jews.

The major discussion focused on a complaint filed by Ms. Bettie Overton at the MHRC monthly meeting February 19, 1975. Chief Bruce Baker stated that he and many others had listened to the tape of the officer who used the word, "Nigger." He also said the word was not used according to the tape and that the word, "Negro" was used. Norman Monroe commented that he also heard the tape and verified Chief Baker's statement. Chief Baker remarked that many people heard the tape, and they, too, verified his statement. Mr. Monroe indicated that the Police Bureau provided training which deals with such issues as sensitivity training dealing with minority groups involving word usage.

Dave Van Wagner suggested that some response should be given to Ms. Overton from the Commission and Police Bureau. Julie Sterling indicated that a letter should be written to Ms. Overton and others by the Police Bureau and MHRC. This was supported by Norman Monroe. This topic was discussed in precinct councils and in great detail by Capt. Taylor, Norman Monroe, and Chief Baker.

Mary Edwards informed the Committee about a program in San Antonio, Texas concerning citizens meeting with the police in informal sessions.

Chief Baker explained the police walk and talk program which was initiated to give the officers more time to talk to citizens on the street.

VS:gp



THE CITY OF  
**PORTLAND**



**OREGON**

March 15, 1975

BUREAU OF  
POLICE  
NEIL GOLDSCHMIDT  
MAYOR

B. R. BAKER  
CHIEF OF POLICE

222 S.W. PINE  
PORTLAND, OR. 97204

Mrs. Bettie Lou Overton  
3326 N. Missouri  
Portland, Oregon 97227

Dear Mrs. Overton:

Last Monday, March 3, 1975, I attended a luncheon meeting of the Metropolitan Human Relations Commission to discuss several items including the complaint you filed with the Portland Police Bureau and the Mayor's Office last September. The complaint was that a communications office had, while dispatching on the police radio, used the term "nigger" in reference to an incident taking place in southeast Portland.

I explained the actions taken by myself and others in determining whether the use of the word "nigger" had, in fact, taken place. This included playing the tape for yourself and a friend, members of our Internal Affairs Division, Norm Monroe of the Police Community Relations Division, my Administrative Assistants Waynette Chan and Paul Olson, and the examination via voice print by a professor at the Stanford Research Institute. I also informed them that the individual involved was questioned as to whether he recalled using the word. In addition his record was reviewed to determine if there were other incidents that might indicate a tendency toward racial bias.

These many and varied investigations resulted in our opinion that the word "nigger" had not been used. The quality of the taping system in use at that time precludes definitive judgment and no formal punitive action has been or is contemplated against the individual. In response to a question by a member of the Commission I explained that some form of official action would have taken place had the investigation shown otherwise.

Mrs. Overton, I am distressed and concerned that I may have inadvertently failed to indicate to you the thoroughness with which we pursued your complaint. The officer involved while not officially reprimanded, was clearly aware of our concern over the possible use of derogatory language. In fact, all members of the Communications Division and the bureau are constantly reminded, through our training academy, in-service classes, and on the job coaching of our policy of courtesy and consideration both verbally and in writing to all members of the community regardless of race, color or creed. This policy and this training will continue as long as I am Chief and is your guarantee that if such incidents occur they will be appropriately dealt with.

page 2

*suggested  
deletion of this*

I sincerely hope you have not been inconvenienced by the length of time it has taken to resolve this matter and if I may be of further assistance to you in any way, please do not hesitate to contact me.

Very truly yours,

B. R. BAKER  
Chief of Police

BRB/ch

cc: Jettie B. Wilds  
Oregon Black Caucus

Ellis Casson  
National Association for the  
Advancement of Colored People

John Jackson  
Albina Ministerial Alliance

James O. Brooks  
Urban League of Portland

Metropolitan Human Relations Commission

Mayor Neil Goldschmidt

THE CITY OF  
**PORTLAND**



**OREGON**

BUREAU OF  
POLICE

NEIL GOLDSCHMIDT  
MAYOR

B. R. BAKER  
CHIEF OF POLICE

222 S.W. PINE  
PORTLAND, OR. 97204

248-  
5600

March 15, 1975

Julie Sterling  
1718 S.W. Myrtle Street  
Portland, Oregon 97201

Dear Ms. Sterling:

Enclosed is a copy of a letter that we are contemplating sending to Bettie Overton. Your comments on our handling of the complaint were extremely helpful at the meeting of the Metropolitan Human Relations Commission. I would appreciate your reaction to this letter before we mail it.

Thank you very much for your cooperation on this matter.

Very truly yours,

B. R. BAKER  
Chief of Police

PAUL A. OLSON  
Executive Assistant

BRB/PAO:ch  
enclosure

PCR file

PCR Mtg 4/10/75

NORM MONROE:

Rough Draft Schematic that we through together, in light of the resent tragedy; Ricky Johnson's death. It represents to me, my idea of the influence in a child life, by time Ricky Johnson got to the point where the police action that we all are aware of took placed, we had fall somewhere down the line. We have, local government with the responsibility to provide services to kid base on certain criteria , we have schools who either for--lack of/or inability to, deal with the type of kid for either drop-out, push-out, or where flondering--without the benefits of education. We have families who have arbitrarily, some-time by default, place the responsibility on schools to, not only socialize kids, but also discipline. We have schools to inacquired to met that type of challange, we have schools who, from my estimation, cannot deal with that type of kid in a court or city, unless they understand the variation of life style and understand the type of behavior which they may deam disruptive, may very adaptive behavior, in response to that kid environment, so I guess all I'm saying is that, I think this tragedy could be a catalysis for a lot of concern people in the community, in the police bureau, in the city government--to take a look at all the programs, all the facilities, and all the activities that play an important part in not only a child life, but into the quality of the welfare of the community. I don't think we have done that. But what I use this schematic for, is to show that, by uniform, coordinated affort of concerned formal groups such as: NAACP, Urban League, Albina Ministerial Alliance, like the Black Student Union, Albina Community Action Group, Black Justice Committee -- informal groups that are set up in a structure city government such as: the Neighborhood Assoication, grass-root individuals. I feel in those individuals in criminal

justice system, juvenile justice system, such as: Juvenile court, case management, police bureau. I feel that we cannot focus on one institution, and say that that institution is totally at fault for the tragedy that occurred. I feel that we all could share that responsibility and that we could work unitedly as either for organization lobby groups or individuals concerned people; to focus our energy at those areas in city government, county government, and federal government that has the response to provide services not base on the critiques of that grants or money are allocated, but base on the criteria of human needs. I would like to see us out of this, not trying to denying that the police bureau doesn't have its problems, I work there, I recognized they have problems, there is a degree of racism, but is this racism that exist in the police department uniformly, throughout the bureau, or is confined to individuals who happen to be police officers. I think these type of questions we could ask ourselves. If we disperse all our energy directed at, just one entity in the system, I think that we would be miss an opportunity to prevent other tragedies such as; Ricky Johnson, Minphrey, and other individuals who have had their lives terminated as result of police action. All I would like to see us do, utilizing those existing structure that we now have established here in the City, to lobby for the type of change, political, social, financial, that exist here; there are people with legislative responsibilities; people with service responsibilities; and I feel, if we can uniformly direct our efforts at those points in the system, I think maybe we can recognize or achieve that thing call quality life for our people. Therefore, this little schematic is not anything profound, it, to me, would act as a preliminary structure, for system groups, for ourselves, and the police bureau.

Take a look at the things we are doing. Inside of PCR, Police Community Relations, as PCR now, I'm not satisfied with them, and I'm sure Bill Taylor is not satisfied with in total. We have some programs which I call Micky Mouse, I'm sorry, I want call Micky Mouse, I call them -- they service fully a certain segment of the police bureau in terms of imagery. I don't feel that we had done all we can at PCR, but usually and traditionally what happen, is that we attempt to design program from the top/down---. I'll set at my desk, Bill set at his desk, and we take a look at the police bureau--we said, "Hay, we need a walk and talk program, a school liarison need a ride along. And then, we don't filter, or get information or input, not because we don't design input, but sometime we over look that, individuals that we are trying to serve is that person out in the community. I feel that to be consistent planning, realistic planning has to be a joint effort; joint, means, from what I mean is that community has ideas, has knowledge, has expertise---of what it need in turn of a Bible Police Community Relations program. We have an idea, base on our operation understanding, technical understanding of the police bureau of what we can and can't do, in relationship to the programing. I think by taking both of these entity or these two areas, developing dialogue between the two areas we probably, or maybe, I hope that we can come up with a realistic PCR program that would met the needs of the community and at the sametime improve the imagery of the police bureau. This is not to deny that the bureau doesn't has problems, the bureau has a hell of a lot of problems, but I'm saying that if only we focus at one entity in the system we are not going to acheive what I think would be beneficial out of the tragedy of Ricky Johnson. And its' open, the table is open.



MARLENE BAYLESS:

I think that the issue you raised are extremely valid, I guess what I would like to do is to separate the two things: (1) The kinds of things that the bureau itself maybe considering doing to improve its present human relations program. And (2) The wider issue of what responsibilities do we as a community have, for inter-agency cooperation, so that those influences that are impacting on young people's lives can be structured in such a way to be a positive influence. This is a question that came up probably for the umpteenth time, I don't know how many times, but that I was first really aware of on an official level, last fall, when the Mayor put together a committee to study juvenile services and Liz Burtman was the director of that study. We pulled together some data to introduce what the level of services was, now and that would give the council that they could use in determining whatever kind of direction they may wish to go in the whole area of juvenile services. They recorded itself, made recommendations, but it was a collection of payments. My own feeling is to participate in that was that the inter-agency cooperation is adding a variable level so that the collection of data is almost nonexistent in terms of being in any kind of threat, where you could really look at. There is no overall place where you go and see how many kids are going to juvenile court, how many are going to youth diversion center, how many are going to private agencies, how many are getting the counseling they need within the school themselves, nobody has that picture, and it may be that we need to have that big picture first, before we develop a plan of action of who then should be responsible for what and to make sure that these services impact in a productive way, now the second official thing to happen in that level is that the superintendent, John Blandard, has just instituted a committee on disruptive views, for he has pulled together people; Chief Baker - is one of the persons to serve on that committee, Charles Jordan is on that committee, Harold Harden of Juvenile Court, several people from schools, several people from the business community have provided you with publicity and

and membership. So they are being to look at - what are the forces that impact on youngsters that create them, disruptive behavior in the classroom, and what might be look at as answer, and these three are all tied in together with the issue you raised.

INTERRUPTION:

There is no question, that it does, I don't want to dominated the meeting, I have particular advise about who is in the committee as it now exist to look into the behavior and trouble with the kids. I'm directing that basicly toward the Black community and other minorities. The people that I look of in a committee, I don't know what their charge are or their responsibilities is and what they are result of their study will be. Three years ago there were a program, submitted to us by the school district, it was called "More Opportunity" in Education Program" and it was submitted to LEAA to focus on rentivating Lent's school as an alternate education facilities to take all the distructive kids, or kids that identify as disruptive in various school and placed them in this one institution so intensified treatment, and focus an education focus could be directed at status for the purpose of increasing their education skills and what every, I can't remember it all. This is my personal opinion and I don't want to reflect the bureau or anything else my only person feeling-- that type of program only reinforces attitudes in kids that they are inacquainted, they are special kids; anytime you place a group of kids with the same type of behavioral problem, identifying, by someone other then the school facilities. What your are doing is reinforcing the negative attitudes that most kidsget from school anyway. I question even the identification method, how would they be doneby, who will be doing the identifying, is it the behavior of a kids exhibit inside of a classroom, inappropriated for him in his relations with his piers group on the street.

INTERRUPTIONS: Marlene Bayless:

1. That particular proposal is no longer has validity - that's out the window.
2. The original thinking behind that proposal was that with limited rescourses that it

might be more feasible to establish a particular place where those resources could be available for instance. Since that time there has been more and more acceptance on the part of educators and ill-literate the idea of main-streaming kids with difficulties; whether those be emotional difficulties, or physical difficulties, so that we now have blind children in regular classroom, deaf children in regular classroom. The whole idea of main-streaming is really getting a lot of support. So, that I would assume at this point in time, that kind of report wouldn't come out of this. To associate that with this committee under certain children, I think putting together apples and oranges, because it is really two different things. This committee is looking at, the problems that arise out of youngsters who have difficulties addressing in the classroom. And not necessarily labeling and focusing in on the kids, but rather looking at, what are the focuses in the society that contribute to the problems of children, I think the thrust is a little different:

INTERRUPTION: Norm Monroe -

If that the case, then, to me, is there any thinking about resolving that, or identifying that problem with all these factors, is there any plans in resolving that?

Marlene Bayless:

Well, the committee has been given charge of coming in a year from now, with some recommendations of importance broader than just to the school district.

QUESTION:

Does this committee has any kind of staff?

MONROE:

People represented on the committee by people in the community.

BAYLESS:

The resources from the district has been made available to them for staffing purposes.

QUESTION:

Could you be more specific about who's on the committee and who they represents?

MONROE:

Let me give you an idea, why.

INTERRUPTION: Bayless -

Well, I mentioned Chief Baker, and I mentioned Charles Jordon, Jewels Gardard, from the County Human Services Department, Carol Parks, from Community Causes, Flipper Carsons, who's the past president of the City Club, John Stevens of Pacific Northwest Bell, and then Robert Mitchell, who's an insurance investor.

QUESTION:

What is the point in actual having leads from business communities? And What is the thinking?

BAYLESS:

The thinking is that disruptive youths are not just the problem of schools, or police, We have really a societal problem, and the business community, the intired community needs to really look at what is happening to the young people today, when we get statistics that shows that the greater percentage of burglary are committed by people under twenty. I'm not sure that this applys to the rest of the crime rate, but we certainly know that the involvement of youth in crime is increasing and we know that the dissatisfaction with the established society institutiions in the society is in a crsis. And it is time that we as a society come together to work with these institutions.

STATEMENT:

Some people on the committee from agencies who deal with kids, as: Urban Center, Family Service, or Social Workers, or people who work directly with the kids, cause there's none who really ----

INTERRUPTION:

There's a doctor Sac, who's a child sociologist -----

STATEMENT:

There's social workers whose names I can't recall, there is some one. This list, by the way is not completed, I have another list that has several other names on it, I'm sure that it has social listing on it. Anyway, I didn't mean to take up all of your time with that, I just want to point out that Norm raised two issues and maybe the one we want to take out of term right now is under hearing by the police department, bureau is planning on doing, but all so being very conscious of the other issues raised which is: that this is wider than a bureau problem, that it's a community problem, and we need to begin to think about how we as a community going to solve this problem.

MONROE:

I'm sorry to focus that much attention, but it does fit into what our thinking is, because the bureau is not preliminary source of the problem in that existant turn of the responding to the needs of kids, responding to the needs of the community, and responding to the needs of adults. It does play, to me, any police bureau plays an important part in the temple of the community, in actually in the confidants that people have to moving it out of there. But the problem, as I try to present it is wide spread, it is wide spread from all those institutions that influence the kids lives. But we are trying to do, in the community, pecificely PCR, . Number one-- bomb the name of PCR, voice community relations and we want to staff with the various groups within the community, we talk to some people, Bob Richardson, and some of the other groups we identify, because actually the label PCR is a very negative label, established on that very volitate and hostile circumstance and I think the contemporary at that time, the contemporary needs for PCR were in direct to the opposition to what we feel that PCR could be now for it could be with the change of community, I think the community is sophicate to the point that PCR as it was established in 1960 and '65, is the results of the rise is no lonely valid. To meet the type of social demands and needs that are now existing. I think polices have to take, or begin to recognize and

I think that we are, and so degree that we are a social agency. People at 12:30 at night don't call the welfare department, they call the police when they have social problems. The majority of the calls the police responses too, are not crime related calls, but are social calls. And yet we demand that the police be all things to all people, and I don't feel that we have that expertise within that bureau. And that we are looking at training inside the police department, we are looking at increasing our exposure to grass-root communities, grass-root individuals, formal groups in the communities, groups that the communities identified a leadership type of groups. We are looking toward these groups for information, ideas, input in exchange of information in order to come up with the priorities that we would like to recommend to the chief about what the PCR could be.

INTERRUPTION:

That basic, when you ask what's the police bureau is planning. We are really aren't planning to do anything, until --this is a part of planning --we get input from other people. When we think we are alone in rather a top level for a long enough time, but what we actually need, we have a couple of programs that we were talking about city council, walk-and-talk program. Our Walk-and - Talk program is going to, hopefully, bring us back some, what the old beat officers concept--were the officers gets acquainted with the people in the neighborhood, those he serve in the community, on a much closer bases. We have been centrally mechanized, recognize, but we need--in a recognize the need for some training program for the officers in the Walk-and-Talk program. We want not to use the training program by having our prevarious few beat officers we had to come in and train in the way traditionally and many they can walk the beat. What we need are ideas from people in community who are willing to participate as to what they expect of their officers who are out now, and able to miggle with people in parks, and on the streets. We are presently in contact with the

Division of Continuous Education, who is almost guaranteed, this, that they would be able to put on such a program for us, if we guarantee them that we didn't want them to do it in an academic manner, what we wanted were people in the community and people who will be willing to give some input in the program and along with the police officers who is going to have to carry out this. The Chief and I are going to be Walk-and-Talking; and Norm would take people on ride-alone, is going to be patrolman on the streets. So these are the people we need to input from. This is the reason Norm and I are arranged a quite a series of meetings with different groups, who have indicated they want to have some input in this. We are going to ask them to put-up or shut-up in most of these cases. We certainly have not been so exempted, that we don't deserve criticism on the police department, but what we would like to have is constructive criticism, we want people -- "OK, they, say, this is what we don't like about your department, got damn it, tell us what we can do that you will like -- what is it that we can do in those areas; how is that you would like us to affect changes, and we will tell them our problems we have in

affecting some changes too. As we all know, if you work in a bureaucracy - affect change is not something that can be done over night, but a chief writing on a piece of paper and sending an order out, because you get 750 different minds functioning 750 different ways.

QUESTION:

What groups have you arranged meeting with?

ANSWER:

Well, I am not sure that we can be at liberty to tell you of all of the groups, because perhaps some of them wouldn't even want to or wouldn't want anybody to know that we are meeting with them.

QUESTION:

Are they represented by these things?

ANSWER:

Yes, we have met yesterday, with the Urban League, we've met with Mr. Casson of the NAACP, we are meeting with Albina Ministerial Allianance again, they met with the chief first, now we are meeting with them; we going to met with the Black Student Union, we are going to met with a number of neighborhood groups and most of them will be in the Model Cities area. We are also meeting with people who have our Deversion Center, because Leon Johnson, who's the director of all these centers and some of the mutural problems that we have had in these areas. What we want to do is to identified people, who would be willing to set down in a cram reasonable manner and try to decide some of the things we can do in the community as a whole, not just the police bureau, we are meaning to change, we arenot stuck on a straight course, we are meaning to change and we will do it, if we can identify which direction we can change in. You have to remember, any community, you have a lot of compeating divorce, almost any situation we gets into, we are inthe middle of that compeating,



Just think back a few years ago, about that thing up at Portland State University, hey, we were wrong in what we did, you know how it came down and what happen we had a large number of people accused us of being extremely brutile, extremely all that sort of thing, but we had just large enough number of people who said "Gee, what you guys did, was stand around with your thumbs up your noses for about a week until that thing build-up, you would have gone in there and knock their heads off, the first day and you wouldn't have this problem." So, there is no way, with you take the whole community, that we are going to please everybody, but what we want to do is get enough input so that most people will be satisfied that our effort are pointed toward trying to do what the community expect us todo. Now, what we are talking to you about today, is that some where in this area, if we can get these people, get this input and to get these people to stand-up and say "hey, I want to be counted, I want to try and do something foxy. We need some umbrella to put them udner, you can't put them under the police bureau's umbrella, because immediately we' ll run into all sorts of actuations, hey, you think yourself all are a bunch of rubber stampers, you are going to come down here and do what you want!" This would appears to me, and appears to Norm, the logical organization to be a sort of umbrella for us to do these things with. Now, that's what we are throwing out, do you want to take that on? If you do want to take it on, well, how would you go about doing it, if you don't want to take it on, what it's look like if it's going to be a political mess, and you going to have to stick your noses out too far, that find too, cause we'll have to look somewhere else.

MR. LOVING:

I'm speaking for the community, because I feel that I'm part of the community and I being in the community, the Black Community, now in my area for 28 years-- In relations to how I see the input, how the community feels, I've talk toa number of

people in the community in relating to the inquest. The inquest came to our attention to this office from Mr. Vern Summers and these people set down and gave input in terms of the shooting of Ricky Johnson. It was decided to preside, although it wasn't a custom in this state. To have a means of an inquest. That preside taken placed and was followed all the way to the common and inquest. I was involved on the initial decision. And when the inquest became a reality, full planning was done from the district attorney's office all the way down to the police department and all others who was involve in arranging and setting-up accommodations for that inquest. The planners of the inquest assume that 30 or 40 people from the community was concerned about this issue, but it turn-out that more then 30 or 40 people was concerned. So when the community came to the inquest, that they had prepetuated, they couldn't get in. That is in the main rotunda room, I don't even know what size it was, how large it was, I didn't get a change to look inside the door. What Im saying, me representing the community was part of the initiation to bring the inquest into being. Was not able to get into the main room. As I understand it, seats was arranged for reserved for people like: photographers, newspaper writers, city commissioner's dignitaries and etc., or who ever. But the community feels that the juries didn't ask the type of question the community was concern about. What I'm saying is that know body can ask my question for me, unless my questions are relay to some mechanisum to the precedee of that inquest or to the juries. So, inaccession, the juries did not relate in terms of the types of question the community is concern about. So, in that respect, that inquest was a flop. Because the people in the community had questions and concerns that they were concerned were about that the inquest juries wasn't aware of and didn't relate to in terms of questions for they didn't know, I would assume that they didn't live in the community. So, how can they ask the type of questions that the community was concern about?

STATEMENT: orANSWER: - (Bill Taylor, Captain)-----

Mr. Loving, the purpose of an inquest under state law, is not to ask the questions that the community is concerned about, this was the big problem. The District Attorney, who convend the inquest and who award the seating, which ever way-- no body else but the DA's office could very well had to explain to those concerned citizens, who asked for the inquest to start with, precisely what the purpose of an inquest was and it wasn't to answer question that the people had in the community, it was to render a verdick in the shortest possibly way, to wheter this homocide was justifiable or non-justifiable and anything that's out of the realm of that going toward that goal is not supposed to be in the inquest in that's the problem.

MR. LOVING:

I'm not saying that, Mr. Taylor, all the questions that the community would have asked would be related to the crime.

MR. MONROE:

What are you saying is that the community didn't have asscess to ask questions?

MR. LOVING:

That's right, speaking for me, and I'm part of the community, the jury didn't ask my type of question, OK, and there were no mechanisum set-up, so that the precedessor would asked many types of questions.

MR. TAYLOR:

Now that would have been too type of person who should have been, the same prejudices of having and at the same time.

MR. LOVING:

I am not quibbling over how it should have been done, I'm saying that it was not done, so the community concerned was not addressed.

STATEMENT:

I think indirectly, that the inquest was to adviced the community of and answer the

questions of the community indirectly the formal application of an inquest, unfortunately over this circumstances from the way you see it, did answer those question however these inquest should indirectly answer the community questions, that the ideas behinde it, like you said, " that it did not take place", and so from what I'm saying is that in one respect at least, I was a representative of the sheriff's office, I would say that I would disagree womewhat with what Captain Taylor, said, because I think that it is diffiently have to answer to the question of the community, otherwise, there's no sense in having an inquest.

MR. LOVING:

That's right, that's my very point. And the purpose of the inquest was to answer some of the questions that the community was all upset about. And as a result of the inquest we didn't get our input in and we are still upset, because nobody asked our questions.

VERN SUMMERS:

They feel as though they served no purpose, what so ever, this is really what they felt.

MR. LOVING:

And one more point that I want to emphasis, is that I know the police department has their problems with every community, and is brought out, I know that racism is int every group, not only the police department, but ever group. But as long as I've been in Portland, the police department, or any department will not amitt that such a thing exsist. Now, to give you a good example: I can make a complaint of brutality or race discrimination to the police department, they will not take it with the attitude that this might have happen and investigate. They come to you with the attitude it didn't happen, we don't have that kind of thing in our department. And that's a lie. And I personally can vouch for that and there's others that can vouch for it too. And with the police department: accept the probability, that some of their people are abusing

citizens, then they can start with a mechanism to solve their problems, until that happens they will never solve their problems, because they will not admit that there's a probability that Sargent So-and-So did cause this woman out, unjustifiably.

INTERRUPTION:

I think thorough, that what Norm Bell said today -----

CAPTAIN TAYLOR:

As you said Mr. Loving, we have in our internal affairs unit - I will bring the figure to the next meet - but we have found officers guilty of misconduct toward abusing citizens any number of times, we have suspended them, we fired them, --we fired one young man not long ago, for just what you were talking about a racist attitude, and other thing toward black people in the community. We have investigated numerous complaints and those places where we found our officers guilty, they were dealt with in those things. Norm and I set down here and practised anything we said to day, by saying that we admitted that racism exist in our bureau.

MR. LOVING:

You are speaking as if you know them from a personal standpoint, OK- what I'm saying is that the community doesn't know what's going on in your internal department, in terms of the things you are trying to do, because we don't see any action taken against a policeman who have been convicted, have been accused, or reprimanded of some misconduct.

CAPTAIN TAYLOR:

Well, the person that makes the complaint, does get a letter, telling them precisely that your complaint was justified, we investigated, we found you right and proper in this, and that the action we are taken is this--and tell them whether we suspended. That individual does, you are right we don't go to the newspaper and say "Hey, this officer did this or that, so we are firing him or we are suspending him or that sort of thing, and I don't know, you see some of these things that we kinda have a rule of

silent in a way, cause some of these things become sensitive complaints against police-  
man, because they will involve other people, for instant, a couple maybe having some  
kind of family fight and the policeman intervend and as a result of the policeman's  
intervention, he mis handle the situation, that's improper; later we find the police-  
man guilty of miss conduce, usual either the husban nor the wife would like to have  
their marrial discord aired in the way the policeman got into this. We don't want to  
discourage people by publizing their particular problem, cause seldom does anybody  
have conforntation with the policeman unless he himself have some degree of  
coperbility or guilt or some reason to have the policeman beleive he's doing something  
wrong.

QUESTION:

Would it be helpful to throughout either it these meeting or the next meeting, the  
person from internal affairs of this type of investigation to come in and answer the  
types of concerns you have about how the police are aired?

CAPTAIN TAYLOR:

How many they find justifiable, how many they can't determined that sort of thing?

MR. LOVING:

That would be helpful, but in turns of the inquest, the community certainly, that  
always is find, but the community feels that their particular concern was not addressed  
at the inquest and the inquest was just a pland fosh, and was going through the motions  
And the Community feels right now, the relations, communication between the police  
department and the community has left from 50% to zero, as the result of that  
inquest. So, the community has loose a lot more respect then they had and the  
communication toward the police department prior to that point.

MR. MONROE:

What would you suggest would be away for the community to have the opportunity to  
ask such questions, or is it too late?

STATEMENT:

I like to add something, I think that you are in a sense castigating the law enforcement agency in that area and blaming the man for to the way the inquest was conducted, and w was handle from the beginning to the end. And the total picture with you take a closer look at it, the law enforcement in these areas only play a very small role, until the inquest, even thought did involve an officer from that particular agency, but as far as the total precedure for a inquest, the DA's office was involved, citizen was involved law enforcement agencies, both County and City, basically the County, for security purposes. The seating was to be "a first come, first serve" bases, and I grant you that to be nive, that's probably what happen, I can't make you beleive that, but in a sense the only thing that I'm saying to you, is that I think we were only a small part of the total picture that cost frustration between the community, so therefore, I say that the community should look at the total picture and total facts and have some anamosity not just toward the police department, but for ever agencies that was involve dealing that inquest, but what really put negative light on that inquest, was the mechanary involve in setting-up a situation that has not been dealt with in the past and the only thing you can do now, is to make your concerns available to people who can make changes for the future.

MR. LOVING:

I agree with you. Everyone is saying that the DA is responsible for the whole ball of wax, he's the guy to get shaft. I'm saying, is that I don't beleive that the DA set down any office, by himself and put that whole thing together, that's what I'm saying -- I am assuming thatd. Now assuming that's he didn't put that together "all by him little self", he utilized the expertise of the police department, sheriff department, the commissioners' officer here, a whole lot of people I can't think of.

And when the community says things come out wrong, the community didn't distinguish it from another. The police department is the authoritative body from the District Attorney and the whole ball of was did this. And that's where it is at. But I can agree with you internally, they all share the responsibility.

MARLENE BAYLESS:

But you say the community doesn't see it that way, they are absolutely right, this is always a problem.

STATEMENT:

Well, I think what you need is, like yourself, now you've been made aware of and I'm sure you were aware of before you came in here, it's obvious, but I think that community education in regards to this particular issue, not all other issues that involve the total governmental entities in this area are spoken to, spoken to, like people like yourself, that are representatives of the community that respect in the community, but what I'm saying is that I think that by even your own admissions that you can not say that a specific law enforcement agency, the police are the ones that crewed-up that whole thing. Possibly, the only thing that was crewed-up by the police is the role that they played in the total situation from the time Ricky Johnson was shot. Now, other than that, we have a specific part of the system, just make you can't in a total criminal justice system, for instance -- there are three or four different part to that system. And so, when you castigated only a portion of that and say that you are doing something that is really not right, it's like me saying to you -- you are black and a group of black kids are something there for and that you are as crewed-up like the group.



CAPTAIN TAYLOR:

As District Attorney, who ever he appoints as Hearing Officer has enough authority, I'm afraid under the law, any coercion from us, the sheriff's office, the City Council, or the Commissioner, or anybody else, any coercion on him would be a persecuting offence. We could tell him how to run anything, without danger of him turning around and persecuting me for tampering with the whole thing.

MR. LOVING:

I understand that, but nevertheless, it doesn't exclude that it can't be done, in conjunction with it either. And I think that the Human Relation Commission, this office, should have plenty more major roles in that total mechanism than it did, and the Human Relations director here, couldn't get into the main rotunda room, and they're supposed to be in the business of mellowing the relationship between community.

MARLENE BAYLESS:

I would like to clarify, something, if I may, cause I think we are really concern about ten different issues here and they are all getting intertwined and all mix-up. And the one issue I do know, and some answer on is the issue that you raise about the photographers being in the inquest hearing. It seems to me, that there is ever justification for the District Attorney's office having made available certain scene for the press, because the whole idea of holding the inquest was to have the opportunity for public examination of the facts concerning the incident and there would be no way of knowing how many people would, in fact, turn up that day to set in on the inquest. The limitation of space in the courthouse and the availability of a particular courtroom to hold the inquest in would impact on that.

and the way to insure that the information would get to the people who were not able to be in attendance would be see that there were members of the press in attendance, so

that that information could be terminated through lots of communities. And I wouldn't want any suggestions to come out of the Human Relation Commission, that we objected to the present of the press in those members in that inquest. I think it was keeping with the purpose of the whole procedure. That they did this, and it is my understanding that in addition to the press and members of the family of the decease, Hughes, that there were no other allocated seating, there 's not seats set-aside for public dignitaries or police department.

CAPTAIN TAYLOR:

There weren't public dignitaries, but there were seats set-aside.

INTERRUPTION:

For City officials?

CAPTAIN TAYLOR:

No, I don't think any of them were City officials, we had three seats for representatives of the police department, our two Public Information Officers, and myself, as Community Relations Officer. Those were the three, I couldn't get Norm a seat in there, for crying out loud, on that particular day. Mr. Cassion, the head of NAACP, was accorded a seat.

BAYLESS:

I believe Captain, that Mr. Cassion was inform to be there very early, if he wanted a seat. There were not seats set-aside for any community leaders. And I think probably, had any one of us being in that position, we might have made that same decision. Who, in fact, wanted to be in that position, designating which community leader are more important then any other community leader.

VERN SUMMERS:

Marlene, Marlene, Bob Lamb and I went there together and when we got there, I didn't have a seat, and Bob said well, that they has a seat already for me". He don't live in the City.

MARLENE BAYLESS:

Mr. Lamb was officially accorded a seat, because he's Region Temp Justice, and I supposed again there maybe some justification that could be made.

MR. LOVING:

Let me say this, that I think she is missing the point of what I'am trying to say. I didn't say that I was opposed to etc, etc, etc, having a seat, I'm not opposed at the part of any of these people of having a seat, the City didn't say, the whole affair was not properly planned to accommodate the multitude. I am total in agreement that City people, City officials, dignitaries, President Johnson, or anybody else that want to fight, could have been there. But what I am saying, is that the total accommodation aspect of the situation for Black property was planned for the community. Now, that's where I am coming from, and that's what I am saying. Now, I didn't say that I was opposed to City officials, dignitaries, or who ever, having a seat with a title. I said, "under the circumstances of the limited space that was available for this particular issue the seats that was available were for these people. And it could have been properly planned to include me, the community.

CAPTAIN TAYLOR:

There were a lot of people in there, that had been there for a long time, it was pretty will stuck, you know the courthouse, of course, I don't think that there's really a larger courtroom in there, and they also put in a closed circuit television and open up a floor above so that those people couldn't get in the bottom, could go up there, what I am trying to say, is that I don't think that there's any larger accommodations in this building.

MR. LOVING:

This maybe true, and I may have to agree with you, but that is not the only facility in the City of Portland, now I don't know whether if it's illegal, to transfere to the

courthous or any other court activities to some place else, and I don't know whether if it's illegal or not, but what I am saying, when there's a calamity in this community you serve their needs, even if you have to go through waterfront.

BAYLESS:

I think you are absolutely right. There's nothing we could do about what happened.

MR. LOVING:

You could have gotten the Portland Auditorium or, you could have gotten the Coliseum.

VERN SUMMERS:

The community itself, is being undermined.

BAYLESS:

I think not to have or accommodate the community and something we need to deal with in the future. But how are we going to do it?

MR. LOVING:

That for you statistician to work out, I see you later.

BAYLESS:

I need a break, I think he's need to anticipated more then anything now.

STERLING:

The greater the issue, then, instead of looking to see how we are doing the picture, let's look to see how to prevent these kind of things in the future.

BAYLESS:

But, it happens time and time and time again, and everybody thinks that it will never happen, because we got to prevent it, and we never do prevent it and it does happen, and time again the grass-roots is what is cut out of the whole operation, and nobody listens to the little guy up there and they causes all the trouble.

VERN SUMMERS:

This was brought up to the District Attorney Before the inquest.

BAYLESS:

What happened?

VERN SUMMERS:

Bob Lamb and I talk to the guy. We told him that, that room was not large enough, this is why the other room was made available. And we asked him, is there a possibility to have a place large enough, to where the community people could attend. We said that the inquest have to be held in a bonified courtroom.

CAPTAIN TAYLOR:

I don't know, I can sure see his reasoning for wanting to make a three-ring circus, about holding it over in the colesium or in a public auditorium, out of a serious matter like a judicial hearing.

BAYLESS:

Somebody like Mr. Loving, that has been consulted before the whole thing was set-up and maybe there's a good reason why he was. I have know idea.

MONROE:

Excuse me, I know that's a valid point, that he brought up, but to me, I hate to be pushy, but to me, it seem like: Can Human Relation Commission take on the responsibility, coordinating all of these, minutes of meeting of groups, can they take on the responsiblility of getting the copy development of formats for plan of action for future programs that will involve juveniles, Juvenile Justice System, Crimial Justice System, School System, and all for who can do it?

BAYLESS:

It seem to me that the role the commission could play, I'm not sure that the commission could play the kind of coordinating that they are asking for.

I'm not sure there's an existing agency that now has the capability of staffing and budget consideration to carry that out. I wondering if I more perfect role is to make recommendations to the jayor and the chairman of the board of County Commission That they being to address the need for some kind of community wide umbrella approach in planning.

QUESTION:

For what?

BAYLESS:

For coordinating the activities of the agencies that impact on young kids lives. And it's a big charge.

STERLING:

You know, it would sort of melt into the horizona. I think you have to start with what you have already established.

CAPTAIN TAYLOR:

That's not very much, that's what we are here for.

STERLING:

Well, Marlene has outline, we being talking about from what I see it, three things, Marlene mentioned the mayor's committee, what was the mayor's call it?

BAYLESS:

Was Juvenile Services Study.

STERLING:

All right, Juvenile Service Study, which came up with information, but no plan of action. She mentioned school district.....

BAYLESS:

Distructive Behavior Committee.

STERLING:

You have mentioned your plans, within the police department, and those are the three that seems to me, concrete things we got going and we got the Human Relations Commission.

MONROE:

Here's the problem Julie, the problem is that we have these factions; probably all with the similar goal going in directions which we now being part.....

STERLING:

I agree, I said that from what I heard about the school district committee, it's going to go off on its' own, unless it's plugged into what Norm and Bill are going to do. And its' not going to be plugged by Bruce Baker, because he's going to know.

CAPTAIN TAYLOR:

Our problem is, that there's enough paranoia in the community, and enough paranoia on the police department, put together and suspension, I don't care if we have Christ and his twelve despotes and took them down to the police department and work out some plan of action, there would be a great deal of suspension that we did this, this is a police thing. This is the reason, we are looking for some other umbrella, so that the community is not going out to hate us. This is their plan and they are going to ram it down our throats.

STERLING:

You're not the only guys who feels that way, the school district objects to the status.

CAPTAIN TAYLOR:

So does the Human Relation Commission.

STERLING:

What else is new, the important thing is that everyone knows what everyone else is doing.

VERN SUMMER:

As you said, why don't you do this, why don't you heard from these persons, and see what kind of planning they have. I think what Norm laid out here is good. I think it's very good. Like each person is employed here \$5.00 a month out of their check, feels very important, which is very easily be done, which would be good too. What I am saying Norm, is , this is a long, long range thing. This is very long. I am not saying that this should not be done, what you need is long range planning and short range planning to go along with it. Short and long range planning .

MONROE:

Immediated resolution.....

VERN SUMMERS:

Immediated problems and long range goals.

BAYLESS:

I am wondering at this point.....

CAPTAIN TAYLOR:

We are going to have to go in three or five minutes.

MONROE:

Five minutes.

CAPTAIN TAYLOR:

Because we have another one of these series meeting set-up.

BAYLESS:

What I am wondering, if I may for a minute, Vern, is whether we can come to closure today, I think the issues that have been raised, requires more thought, and I am wondering if we can set another time for a meeting and in the interm, talk with the various people we think need to be beginning to think about this and get some feed-back from them. I think Vern should be getting feedback from the Mayor's office, and if you could maybe, get some from the County, and I get some from the school



and to come back a week from now, with some more specifics.

STERLING:

May I tough out my idea.

VERN SUMMERS:

Correction: Budget, you'll find some problems at schools and in Juvenile Halls.

Those are the issues. We take out budgets that will function, fewer problems.

We are playing games with people's lives. Spending more money on things than we are on kids.

BAYLESS:

I think the issue raised is an important one, and there's another committee, there is always another committee. There is the Committee of Citizen for Children made up of a number of community people who are approaching the legislature with the idea of the legislature taking more money for juvenile services. That group needs to be contacted and altered to the fact that we are looking at this broad range.

STATEMENT:

We are kind of mix-up, We are talking about getting money for juveniles, juveniles with problems. The emphasis need to be placed on kids without problems. We are talking about school budgets. There is more money going to or into delinquents, so what would the child who playing it straight, would be an unpreviliaged child, cause there is lots of money for kids once they get the problems.

BAYLESS:

Well, in a line with that, we need to look know about the facts that the state of Oregon Department of Education has six polit projects which with child development specialist around the state. One in Portland at Witman school, five in other parts of the state. Looking at the very thing you are talking about, bring in services at a very young level when children needs are first beginning to be recognized or identified.

The City, Norm I am sure you are aware of this I know, and the school district are looking toward putting in a proposal to LEAA for an early intervention program. These are all polit projects, but they are beginning to address to the thing you are talking, which is at a very early time in the child's life, providing him with the resources that will help him to not get into trouble.

STATEMENT:

I see some problems. Each of these institutions has worked with, what I see as a problem, each institutions has protected its' image. Now the public schools should know by now, that they need to change that whole system, , the education system. They know that, but they got to protect their image. The police department got to protect their image, everybody is protecting images, and that's a big problem.

BAYLESS:

I wouldn't agree with you. My enterpretation of the situation is that each of these bureaucracy is very much aware of, that the societal problems we are dealing with are extremely great.

END OF SIDE TWO OF THE TAPE

Rev. Austin Harper Richardson, Pastor  
Centenary-Wilbur Methodist Church  
215 SE Ninth Ave.  
Portland, Oregon 97214

Mr. Robert Lamb  
Regional Director  
Department of Justice  
Room 1898  
915 Second Ave.  
Seattle, Washington 98174

April 14, 1975

Dear Mr. Lamb:

The following is my thinking as to what might represent an appropriate response to the recent incident in which a Black youth was killed by the gunfire of a police officer:

The alarming increase in weapon related violence involving police officers in Portland I think is related to a prevailing crisis oriented definition of police work. Because legitimate questions can be raised regarding the tactics employed in the incident I refer to I am wondering whether what we see evidence of is a problem related to the police officer's self-image, if in fact what we need to be looking at is the question of priorities in police work. It is the question of peace-keeping vs. law enforcement and the larger question of how we define the police officer's use of his time and who is to do this.

I think what this death and recent other deaths involving Black men as well as the recent deaths of Portland Policemen are forcing us to face is the question of police accountability. Is the police officer a public servant whose client is the citizenry or has the Police Bureau become a bureaucracy that sets its own goals and abides only by rules of its own making whether explicit or implicit?

What I fear is happening is that the violent image of police work that we see on television is having a direct and baleful effect on the way police officers view their work.

From our conversation in the Human Relation Commission Chairman's office it is clear that the focus of attention of the Black community is on the present firearms policy of the Portland Police Bureau; it is understandable that this should be the case. It was gratifying to me to learn that you as a former police officer believed that this policy which is admittedly better than the policy governing many police organizations could be improved upon.

What occurs to me is that the Black community in particular and the community at large might profitably be invited by the police to discuss the present policy with the view in mind that the community has a voice in formulating the policy that governs public servants. As I see it this is an immediate step that can be taken that might alleviate some of the feeling that is running high in the community.

If the Bureau could see its way to inviting community participation in policy improvement I think a useful dialogue might ensue.

My concern is that we not just limit our concern to the firearm policy.

If there is to be movement and change among Portland Police I think it needs to be systematic change, change that involves a range of related issues. Basic is the matter of an attitudinal change that views community participation as an asset; such an attitude would look upon protest and outcry as valuable feedback that can be used constructively to pinpoint and deal with problem areas.

In addition to inviting public participation in policy debate and formulation I think it would be helpful to give wide distribution to a brochure that would detail the Bureau's disciplinary procedures. The public should have reasonable access to the rules of conduct that are part of the operational manual of the police agency.

Something that I think is necessary is openness; isolation from the public inhibits the effectiveness of law enforcement. I would like to see Portland Police implement the recommendations of the National Advisory Commission on Criminal Justice Standards and Goals.

The Commission recommends that a statistical report of complaint dispositions be published at regular intervals. The report would contain a brief description of sustained investigations.

It also points out that such a report can be the vehicle whereby a police chief executive can communicate the philosophy and policies of the administration of internal discipline to police employees.

A third recommendation that I would make in the interests of openness and police accountability is the establishment of a central police registry where specific information concerning all discipline complaints even those initiated internally can be recorded by number and chronologically.

This is again a recommendation taken from the "Report of the National Advisory Commission on Criminal Justice Standards and Goals."

Such a recording procedure is designed to ensure that all complaints are received and investigated; it makes possible the easy compilation of statistics and for information retrieval.

In addition it affords the opportunity to monitor what is happening. By such a device it is possible to determine almost immediately which categories are receiving the most complaints and what the complaint volume is.

My view is that acquainting the public with the complaint categories could be helpful. It seems to me these categories define in a general way what we expect in terms of police behavior.

Perhaps conduct unbecoming an officer could be defined in the kind of brochure I have already referred to; the same might be said of "criminal conduct". The public needs to be told what an "improper use of the weapon" refers to or the "improper use of a vehicle". What is "unnecessary force"? What constitutes falsification of reports? When is perjury committed? What does acceptance of gratuities refer to? And what does participation in a crime allege?

What I am suggesting is that there is no effective accountability where accountability is not defined. Citizens need help in understanding when officers are doing their job and when they are falling short in their performance.

Frequently I think citizens misunderstand the police officer's use of discretion; we need assistance in seeing police work from the officer's viewpoint.

Part of accountability as I see it requires that responses to complaints be explained. When an officer is exonerated what is it that happens; what do we mean by saying a complaint is sustained or not sustained. Does this mean the evidence is insufficient?

How many times do officers face unfounded charges and how frequent is the occasion when misconduct not based on the original complaint is uncovered?

Citizens are unwilling to believe that 900+ men who are entrusted with weapons who account for the expenditure of nearly 20 millions of dollars of the city budget do not go astray. Police accountability demands that the public have access to more information upon which to judge police service than now is the case.

How many reprimands were offered last year might be useful knowledge, how many officers suffered relinquishment of time, what number were suspended without pay and how many were removed?

This information might help us believe that police internal discipline procedures are effective. The way it is now we are victimized by our dark doubts and suspicions; we are made to feel that what is very much our business is not our business.

I am sorry to have made this letter so lengthy; the length, however, is indicative of my strong belief that what we face is a problem that goes far deeper than the question of a firearm's policy.

My hope is that out of the most recent tragedy and the tragedy of the deaths of police officers in our community in this past year we can find the will and the strength that can open up a new day for both the police and our citizens. As it is now it seems to me that violence is feeding upon violence and our problems are compounding and escalating. I think we owe ourselves a better future.

Sincerely yours,

Rev. Austin Harper Richardson



**METROPOLITAN HUMAN RELATIONS COMMISSION**

Multnomah County — City of Portland  
410 City Hall ■ Portland, Oregon 97204 ■ 248-4187

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~~XXXXXXXXXX~~  
Vernon Summers  
Director  
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May 5, 1975

There have been several meetings in the community with discussions based on police attitude. All meetings have been somewhat fragmented. I have had some response from leaders of some of the organizations involved, which gives me the basis on which to call a meeting.

This meeting will be for the purpose of establishing a coalition for the community. The meeting will be held at the Matt Dishman Memorial Community Center, 77 N. E. Knott, Portland, on May 15, 1975, 7:00 p.m.

Sincerely,

Vernon Summers  
Director

VS:gp