

**CRC Forum on Police Oversight and Police Reform**  
**July 13, 2020 | 5pm – 7 pm | Virtual Meeting**

**Panelists:**

- Chuck Lovell, Portland Police Bureau Chief
- Daryl Turner, Portland Police Association President
- Scott Kerman, Blanchet House Executive Director
- Mark Wells, Public Safety Action Coalition
- Tiffany Hammer, Goose Hollow Public Safety Chair
- Sabina Urdes, Lents Neighborhood Association President
- Liz Sauer, Basic Right Oregon Communications Manager
- Dr LeRoy Haynes, Jr., Albina Ministerial Alliance Coalition for Justice and Police Reform
- Alex Rodriguez, Street Roots
- J.W. Matt Hennessee, Vancouver Avenue First Baptist Church

**CRC Members:**

- Candace Avalos
- Vadim Mozyrsky
- Sylvan Fraser
- Carol Johnson
- Shaina Pomerantz
- Jihane Nami

**IPR Members:**

- Ross Caldwell
- Irene Konev
- David Nguyen

**Notes:**

**Introduction**

**[Avalos]** Welcome to tonight's panel to discuss police accountability and oversight. CRC is an 11-member body, with the overall goal of increasing police accountability. We know there are flaws in the current accountability system, and we are trying to leverage the moment to achieve real change. We are part of the appeals process for complaints, which is our biggest differentiator with other accountability bodies.

**[Mozyrsky]** Since 2013 police violence has become a pressing issue, with calls for defunding or abolition of the police bureau. Tonight, we have a panel of experts, community organizers, talking about how to change police accountability in Portland specifically. We might have a lot of constructive criticism for PPB and City Hall after today's forum. We will plan on submitting a report to City Hall and the Chief of Police.

## Introductions: Individual panelists

### Panel Questions

#### 1. Icebreaker question: What is PPB doing well?

**[Rodriguez]** a lot if individual officers have good relationships with people on the streets, they are trauma-informed when they respond. For example, person living in Old Town/Chinatown with a mental health illness who often gets harassed. When police show up, they advocate for her.

**[Haynes]** there has been substantive improvement in policies and training of the Bureau.

**[Wells]** On June 27<sup>th</sup> there was a gentleman experiencing a mental health crisis: PPB deescalated without any force, but most probably missed this in the news. Challenges and dangers of the police officers' job are highlighted by that incident.

**[Urdes]** have experience trying to obtain restraining order, protests and being held at gunpoint in my neighborhood. Right now, local police are cooperating with federal marshals to suppress speech and deploying munitions. So it's hard to see the good at PPB at the moment. Have friends in media who have identified themselves and still been faced with violence by PPB.

**[Hammer]** have been downtown Portland for 15 years, it's been up and down in crime. Decreasing serious crime in the past 15 years. In Goose Hollow neighborhood, have had more calls with mental health and addiction issues, but were able to help navigate through that. In 2017 I was a crime victim: PPB did very well with victims – they are at frontlines and we never hear about victims anymore. Want to bring awareness that in 2017-18, 2019 there was a different environment.

#### 2. Where should funding go?

**[Haynes]** defunding means a lot of things to different people. There are areas that the PPB doesn't need to be engaged in, particularly with mental health crises: the responders should be professional people without guns. Interventions with the Houseless could be dealt with better by professional people with training. When dealing with mental illness, officers are not well prepared to deal with these issues. The issues that have created uproar in the community have been mental health issues: that should be taken out of the hands of the PPB.

**[Turner]** in early 2000, the State of Oregon defunded the mental health system, leaving it to the police to take over. With that, PPB had to adapt policies and training to deal with issues the best way we could. The result is the defunded mental health system in Oregon and even if we're starting to get hundreds of thousands of dollars going back to it, there is a lot of catch up to do. Yes, redirect funds as it should be, but don't lose the ability of the PPB to respond where we need to (e.g. early morning calls). The Behavioral unit is nationally recognized model.

#### 3. Have you heard how calls to 911 will be routed to Portland Street response vs. PPB?

**[Haynes]** what we have found since 2003 is that professional people are better people to deal with mental health crisis even better than officers with advanced training. Their immediate response is

usually to pull gun then ask questions later. I've worked in mental institutions and we were able to better handle people with knives and weapons than officers with guns.

**[Turner]** wholeheartedly agree the police should not be the first response. In many cases, the mental health system fails the people. Agree that law enforcement should only be called when weapons are involved and someone is endangering their lives or the lives of others

**[Hammer]** body cams for all officers. In Goose Hollow neighborhood in 2017-18, a Navigation Team came in to look at issues in the neighborhood and I really liked that model, working collaboratively to route people to correct services. Start looking at more detox programs in the future, diversion programs, etc. We do want PPB to respond in timely fashion when there is criminal activity. Navigation Teams also work with community, which provides opportunities to educate community, for better outcomes.

**[Urdes]** Lents neighborhood excited by Portland Street Response but understand now that there will be more money for this model this year following cuts in PPB budget. The model seems very promising, wanting to involve the community. Yes, Vadim, a budget is moral document, and as we talk about defunding the police we need to talk about investments: if our priority is to serve dignity while reducing recidivism and cost, then increase social service (public health, housing, education, harm reduction services, etc.). Focus on improving lives, domestic violence support, gun violence reduction, youth engagement programs (what are our youth doing these days?). We should dream big: what about funding transportation? We don't talk about mediation and conflict resolution programs: people are more ready to call the police than talk to their neighbors. Resolution NW used to be available to neighborhoods for free but I think that's been defunded. Also invest in restorative justice to help people struggling.

**[Lovell]** big believer in restorative justice model that we don't take enough advantage of, to heal. Looking for ways we can incorporate community ideas in our work at PPB.

**[Wells]** body cameras: we need to catch up with the times, what other agencies are doing. CAHOOTS in Eugene: when I heard the OPB interview a few years back when I was working at the City of Portland, I reached out to my contact at City Hall and the response was that the Mayor's office was going there in a couple of months. From everything I read and see it's a huge success, and as a former law enforcement officer, I would have loved to have that model. Need to look at public-private models and catch up with our times. Also the youth: we have to be doing everything we can with our youth, create new programs, teaching children how to interact with police (what are your rights, how to report when something goes wrong, etc.). We used to do so many youth programs in the past, we have to bring them back.

**4. Body cameras received a lot of attention in the chat. Commissioner Hardesty has noted that body cameras don't result in different behaviors. The pilot project in Portland wasn't implemented. Thoughts from PPA, PPB and others?**

**[Turner]** strong advocate from the beginning, these are accountability measure that we need as long as checks and balance are present to protect citizens' privacy/health. 100% on board with outfitting every officer. We see that much of the information we receive nationwide on misconduct come from video. Just want to make sure the policies are in place. Body cameras would also help us in training.

[Lovell] great accountability tool and capture what officers go through every day. Adds safety for the community member. But the cameras are expensive, not so much at the onset but afterwards (servers, auditing, management of the cameras).

**5. Cameras were recently removed from budget. What other tools of accountability should we be implementing?**

[Turner] in the last legislative session there were 6 bills about police accountability. PPA supported 5 of the 6 – mandatory reporting for example is critical. Information sharing (42.07) among police departments for officers who have disciplinary records. Hopefully we'll find another way to fund the cameras in the future.

**6. Civilian review of the police:**

- Presentation of IPR (Caldwell)
- what would you like to see in new accountability system?

[Haynes] Since 2011 (or 2001??), Albina has called for independent review board that would have the power to subpoena and compel testimony from officers. I was part of creating IPR and CRC and both have flaws. There's a great need to rebuild trust with community: public feels there is a double standard when there's a use of excessive or deadly force. This is why we brought in DOJ. Those cases require independent citizen review body that could do oversight and produce recommendations – we will always be limited until we have something like that. Not sure where the Vice-Chair got numbers.

[Caldwell] good for people to know we are not the decision makers at IRP for discipline, we only make recommendations. Who makes the decision for discipline is something that needs to be discussed at City Council. Regardless of who makes the decision, you still need someone to conduct the investigations.

**7. Proposal floating for \$12 million for new accountability system. \$12M seems like a lot of money for outreach, investigations, etc. What would you like to see in the new accountability system?**

[Urdes] Committee should be engaged in new contract negotiations with PPA: community needs to have more input into whether the contract is hurting our communities. Article 58 of the current contract says that officers can purchase additional weapons at city's cost, for example. There are many things in the contract where the community should be giving input.

**8. Question from the chat: who writes PPB policies?**

[Mozyrsky] Currently by PPB, then 2 weeks for public comments, followed by revisions and another 2 weeks. Certain bodies like PCEEP and CRC are tasked with providing input on policies. Community is welcome to apply to volunteer with these bodies if you want to learn more about the police accountability.

**[Avalos]** Need to reassess how people on the committees are given opportunity to provide policy input: 2 weeks is not a long time for volunteers. Need people who are data analysts, need to fully staff these efforts. Huge capacity problems. Anyone can be member of PCEEP or CRC workgroups.

## 9. Use of force and training

**[Lovell]** Chokeholds are banned by PPB.

**[Turner]** chokeholds have been banned for at least 30 days in Portland. For instances of excessive force or other misconduct, I have seen at least 10 officers come in for union support and we've denied them and we'll continue that policy even if we don't publicize them. We don't want bad police officers in our agency. If a member who has violated policy and is unfit to be an officer comes to union to file grievance on their behalf we have denied filing or moving forward with grievances.

**[Haynes]** we've been in federal court over the past 3-4 years on the question of excessive or deadly force by PPB. The DOJ came here and did thorough investigation, finding that the PPB used excessive and deadly force against people perceived or experiencing mental health issues. Went into settlement agreement, which is why there's been an increase in training and policy since. This was forced by the outcry of the community and in federal court. And excessive force still happens, including against juveniles. You can have the best training and policy in the world but if you don't have accountability, you'll still have problems.

**[Mozyrsky]** Federal judge has found that PPB is in compliance with the settlement agreement, but there's much that can be done to improve policies.

**[Urdes]** I hear Turner say that there are clear policies against use of force, but based on what we see in the city right now with protests, it's clear that training and policies aren't being applied. Would love to see protests response addressed: is this not excessive when you have community members fighting for their lives in the hospital? Oftentimes you have orders being given by police, the protesters comply, and we all see excessive force happens.

## 10. What framework would you see to help hold these officers accountable?

**[Haynes??]** Having committees like this one review and make recommendations is good. COOAP was involved during the time of the settlement agreement, yet here we are. Certainly, based on these examples it's understandable that the public is asking for disbanding the police (though that is not my view).

**[Wells]** recommendations have been given recently by chief of police in Houston to report misconduct: 1) film it, 2) call 9-1-1 and ask for supervisor to respond to the incident immediately. How do we give confidence to community that they can document and report these actions? Beyond the protests, there may be incidents that need to be reported where clear guidance would be helpful.

**[Rodriguez]** from my experience living in streets during COVID 19, there have been a lot of changes in our lives. With protests, a lot of calls in Old Town/Chinatown are not being answered because cops are taken up with protests. A lot of weapons on the streets, I've personally been involved in trying to

deescalate situations. So many mental health issues that need to be deescalated. Portland Street Response and solving issues upstream needs to be focus, so that we don't have issues like these.

**11. Int'l Association of chiefs of police put out a statement that defunding the police is dangerous. Police and protestors agree that mental health issues are not where the police should be responding in priority. Police spend majority of time on vehicle issues, etc. Some people argue that police should be hands off. What if we retrained ourselves to only call the police when there is a risk of harm? Is that a viable alternative when there are no serious crimes or crimes with weapons?**

**[Hammer]** I was a crime victim by a serial offender. When we do defund, and there is less police out there and more weapons out there, got to think of the victims: if you have a broken RECOG (?) process, you may not know if they are true offender before they are released. I'd like us to have other problems fixed before we decrease the number of police officers. We should use specific data on offenders that police can focus on instead of random profiling, etc. Re: restorative justice, as a victim, I don't think I can ever engage in that because the system is so broken. There are a big group of victims out there, not just protestors.

**[Sauer]** concern for Trans and Queer community is that it doesn't even feel comfortable calling the police in first place. Fear of not being heard, not being taken seriously, sometimes they are the victims of police harassment themselves, especially in Black and Brown Trans communities. There's a lot of creativity and possible solutions in the community: we have heard mental health, education, social services have all been defunded – now let's put the funding from the police back into those services! So if someone calls 911 or whatever new numbers, people will see folkx respond in their neighborhood who care about their wellbeing, in a compassionate way, without weapons.

**[Wells]** Police have been asking for clarity: they are asked to respond to all these issues but they'd prefer to do law enforcement. As a community, we need to decide what we want to enforce: give the police the clarity on types of enforcement they should be doing and with that comes the accountability. Used to work in crime prevention for City of Portland and I wasn't a police officer. Let's bring back that program. Also, how do we avoid bringing armed officers into the community? Online reporting is a great tool that avoids bringing police into the community, PS3 program, Community Service model should be studied. Need to make it much easier, user-friendly, and encourage community to be part of it. It doesn't have to be us vs. them.

**[Hennessee]** we currently don't have the forum to have people hear each other, recognizing that our experiences are different. I look at policing as peace keeping, very important that there are channels of communication that goes both ways. I believe police does not want to be first responders. Un-learning and new learning need to happen. I want to sit down with community and police and have a dialogue about how we can create a safer community. I've never seen us as polar opposites as right now – I want us to figure out how to work together. I've dealt with very difficult racial issues in PPB and Portland Fire but this city can do it. I pledge my effort to do everything, from the faith community, but want to be intentional about it and not create more issues than we have now.

**[Mozyrsky]** People want accountability, non-threatening response in their community, experts, social workers – and yes, there are criminals out there that require some police presence: what do we do

to keep people safe and make sure they aren't preyed upon by other community members or officers?

### Public comments

1. *Question: You say we can report police misconduct, but how is that possible when police are kittling and their names are covered, very small badge numbers. How realistic is it to report issues when we're on the ground and have these issues?*

Answer: **[Caldwell]** in a lot of instances in protests, we've had some success identifying police officers even since they started covering nametags. If you have a complaint send it in to us even if you don't get their name – we're able to identify them in many cases, as well as through GPS, videos, etc. Have gotten pretty good at identifying officers. We're talking to PPB and Mayor's office about covering their names / using small name tags. Continue to file complaints with time and location if you can.

**[Lovell]** we have ordered all officers new name tape with personnel numbers in same font/size and in meantime have high contrast tape that will be used.

**[Avalos]** I understand people have struggled with aligning person's name and badge number?

**[Lovell]** numbers are tied to officers so IPR and PPB can match up numbers with people's officers. Number is trackable back to officers.

2. *Question: In protests, PPB has been working with Multnomah County Sherriff's office, Oregon State Police, etc. From my understanding IPR cannot process complaints against officers who are not PPB. I recently had an officer refuse to give me his BHR number, refused to tell me who they worked for. How can we identify who they are and who they work for?*

Answer: **[Caldwell]** if you don't know who they are, report to IPR, we can forward complaints to them. Multnomah County and Gresham and other bodies don't have civilian oversight, but we will forward them; we have no jurisdiction or ability to investigate those.

*Question: Why, if they are working with PPB why are they not being held to PPB standards?*

**[Caldwell]** They are supposed to follow directions of locations, etc. but aren't responsible to PPB directives. IPR released a policy review of police on transit a few months back, even on Trimet it was confusing to know who you're interacting with. No good answer for this at the moment.

3. *Question for Chief and Turner: if PPB are going to protect us and do good policing, are you willing to change the contract so we can fire officers and stop having city pay for misconduct (you can pay for union dues or other funds)?*

Answer: **[Turner]** civil lawsuits are brought against the City, the union doesn't weigh in on any of those actions. It's 100% up to City attorney how they handle the lawsuits. **[Mozyrsky]** regarding qualified immunity it's a federal issue as far I as I understand the law, so contact your representatives in Congress.

4. *Question for Turner: will PPA make the bargaining meeting open and if not, why not?*

Answer: **[Turner]** Those in our venue are not public as a result of a compromise we made with the City. We believe it's important that the community is involved – prior to my tenure they were never open to the public. **[Mozyrsky]** I believe it's been discussed at Mayor's and Commissioner Hardesty's level, contact them with regards to push back on that.

5. *Question for Chief: PPB highlights counter-protestor voices and give wrong information about damage downtown, pushing bad protestor narrative that discredits legitimate voices. In an OPB*

interview, Commissioner Hardesty says that Chuck doesn't believe they've done anything wrong. How **xxxx**?

Answer: **[Lovell]** I don't know if that's what I said to Commissioner Hardesty. We've had 40+ days of violent demonstrations downtown and there will certainly be cases of missteps. Until we investigate them and process them, I cannot comment on whether they did things that they shouldn't have done. After investigations, it'll be important to hold those officers accountable. Once we get a chance to review all incidents we'll make changes as appropriate.

6. *Question: Will PPB implement larger and permanent numbers on front, back, and pant leg of uniforms. I demand that the new ones be much larger, to protect my Black and Brown friends.*

Answer: **[Mozyrsky]** We're hearing a lot about difficulty in reporting individuals – hope this recommendation will be considered in the future. **[Lovell]** not sure how feasible it is.

7. *Comment: I'm a TAC member and appreciate Dr. Hennessee's statement. I joined TAC because as a Latina woman have had positive and negative experiences with the police. I am both angered by what has occurred and trying to figure out how when we have people who need resources, we can direct them, both for mental health crisis and for the victims of crime as well. Everyone needs to be served.*

8. *Question: What feels is missing is the acknowledgement that the system itself is allowing officers to continue to act improperly. I hear the Chief and union representative say what we need is accountability. We have been trying that for a long time and it's not working. We still have police abusing their positions of power and not facing consequences. We're in a moment when we can have the conversations to create a new vision and what I'm hearing from PPB is that they want to bring in people from outside our jurisdiction and have them have no accountability for the protests. Why isn't there a great desire that our lawmakers give PPB what they want (i.e. accountability)? Chief can you demand that you get what you need for PPB?*

Answer: **[Mozyrsky]** can you give an example of where you have had difficulties with accountability? **[Community member]** Comment is more related to this meeting – responses. I want PPB to be successful but when I see police holding themselves infallible, creates a narrative that they can do no wrong. So it leaves the rest of us to tear the system down or imagine a new way of being. What is the place of PPB at the table if they don't want to have the conversations? **[Mozyrsky]** What is accountability in your ideal world? **[Community member]** See a complete shift in how we imagine policing. It's not just budget cuts that have taken away from other programs, it's budget priorities that have taken the funds. The point of policing in being lost in all of that. Need a completely different way to view the purpose of policing: what police show up to engage with is the problem: if they are showing up pre-triggered to the interaction, there is no way it will go well for the people who are interacting with the police. Also, nobody is above the law – officers should be imprisoned if they take someone's life.

## Closing Remarks

**[Mozyrsky]** Thank you – I will be reviewing all the recommendations here and in the chat, and will see what recommendations we can make as CRC. Thank you, all panel members. We all want the same thing, regardless of the viewpoint. We will do our best to move that forward.