

Mary Anne Hannibal
3/25/82 153076

March 18, 1982
City Council Hearings on Internal Investigations Commission
Testimony of Mary Anne Hannibal, SE Uplift Neighborhoods
Against Crime

I am Mary Anne Hannibal, here on behalf of the Southeast Uplift Neighborhoods Against Crime citizen committee. We urge you to support the ordinance calling for the Police Internal Investigations Auditing Commission.

When we do our organizing for community crime prevention in the neighborhoods, one of the points we make to area residents is that the police force cannot do it all, be everywhere, or see everything. Citizens must share responsibility for crime prevention and control with the sworn officers.

Mutual respect is a must for effective crime control and positive action to insure neighborhood safety. This principal of mutual respect demands the police be informed and involved with the networks in the community. It also calls for residents to act in support of safety, and to respect their local law enforcers. It is a two-way effort.

This Commission would offer police accountability as a stepping stone towards citywide cooperation between Portland residents and the police. The SE NAC committee supports the notion of citizen review of Internal Affairs procedures. Trust that fair and prompt review is given to all complaints will work to dispel suspicion and disregard for current processes. Public trust of the police is needed to insure effective law enforcement.

Police officers-- themselves citizens of our neighborhoods-- have only to gain from this venture. Police work is a highly demanding role- one of dedicated service. Police deserve to have the trust and cooperation of the people. Insure police credibility-- help restore confidence in Portland police by providing accountability and fair review of police behavior.

778 153076

March 20, 1982

TO THE EDITOR
THE OREGONIAN
1320 SW Broadway
Portland, OR 97201

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SECRETARY OF THE CITY OF PORTLAND, ORE.
[Signature]

After listening to the T.V. Broadcast of Dr. Storrs and Mr. Peterson (3/20/82) concerning a Citizens Committee to monitor the Police Bureau, I am firmly convinced that a Citizens Committee would be a grievous mistake. The police are presently so shackled it is difficult to perform their duties.

A Citizens Committee would be another mistake, comparable to our Oregon Parole Board in which a group of inept people are trying to do a job that is much better left to professional people who know what they are doing. And like the Parole Board, I believe that a Citizens Committee would contribute more to the rise in crime than it would prevent. To have a bunch of inept people trying to do a job that is much better left to the professionals is a big mistake, and one that I hope the City Council in its wisdom will refrain from committing.

I feel that Dr. Storrs would do well to remain in her field of expertise which is definitely not crime fighting.

Sincerely,


[Handwritten signature: D. M. Bennett]

D. M. Bennett
5915 North Denver
Portland, OR 97217

[Handwritten note: City Council]

778

153076

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BY 

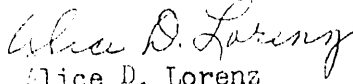
Proposed Advisory Council For Police Affairs
Portland City Council
Portland, Or

Dear Council:

If there is one thing we should have learned from history-and most appropriately, from the Nazi Nuremburg Trials, is that we cannot close our eyes when racism or police wrongdoing are a part of our daily lives.

Mr. Still is against an advisory board. I wonder why. His department is not right. Hiring back the two officers who admitted they harassed the black restaurant owner in the possum action, is a slap in the face of the black people who pay taxes and thereby pay the salaries of the police department. The case of Officer Dieppe and his planting dope and stealing is so nauseous to decent people that it would seem that Mr. Ivancie and Mr. Still would welcome some help rather than trying to push through a cover-up.

If you need help for donations-let the media know. There are a lot of us who want Portland to be clean.


Alice D. Lorenz
350 Pearl
Eugene, O 97401

SPEAKERS FOR THE ORDINANCE
CONCERNED WITH THE POLICE INTERNAL INVESTIGATIONS
AUDITING COMMISSION

CITY COUNCIL
March 18, 1982

Dr. Frances Storrs

Mr. John Roberts

Ms. Alyce Dingle

Rev. John Garlington

Mr. Robert Elfers

Ms. Kris Hudson

Mr. Sidney Lezak

Mr. Peter Friedman

Ms. Freddyete

Mr. Charles Davis

Rev. Larry Rouillard

Mr. Richard Hammersly

Mr. Raymundo Marin

Mr. Robert Phillips

Mr. Ray Thomas

Ms. Mary Ann Hannibal

Ron Fontana

Ms. Lisa Fithian Barrett

Ms. Lynn Davenport

TESTIMONY ON
INTERNAL INVESTIGATIONS AUDITING COMMISSION ORDINANCE

DELIVERED BEFORE
THE PORTLAND CITY COUNCIL

MARCH 18, 1982

*Received at hearing
3/18/82*

153076

THE URBAN LEAGUE OF PORTLAND IS PLEASED THAT THE CITY COUNCIL SEES FIT TO BEGIN TO ADDRESS ITSELF TO THE CRITICAL ISSUE OF CITIZEN COMPLAINTS AND THE PERFORMANCE OF THE INTERNAL INVESTIGATIONS DIVISION. WITHIN THE PAST TWO YEARS, NUMEROUS INCIDENTS OF POLICE MISCONDUCT AND EXCESSIVE USE OF FORCE HAVE BEEN BROUGHT TO PUBLIC ATTENTION, NOT THE LEAST OF WHICH WERE THE OPOSSUM INCIDENT AND THE MAJOR CIVIL RIGHTS VIOLATIONS EXPOSED IN THE SID MISCONDUCT CASES. THE COST TO THE CITY OF SUCH MISCONDUCT HAS BEEN SUBSTANTIAL. WE HAVE SEEN NUMEROUS LAWSUITS FILED DUE TO POLICE MISCONDUCT, AND WE HAVE SEEN THE STEADY AND SIGNIFICANT DRAIN ON CITY REVENUES THAT SUCH LAWSUITS HAVE BECOME. WE HAVE HAD TO WATCH WHILE THE DISTRICT ATTORNEY'S OFFICE HAS BEEN FORCED TO DISMISS PENDING CRIMINAL PROSECUTIONS DUE TO CIVIL RIGHTS VIOLATIONS BY POLICE OFFICERS DURING THEIR INVESTIGATIONS. MOST IMPORTANTLY, WE HAVE SEEN CITIZEN CONFIDENCE IN THEIR POLICE DEPARTMENT ERODED BY REPEATED EVIDENCE THAT POLICE MISCONDUCT AND ABUSE OF AUTHORITY ARE EVERY BIT AS REAL A THREAT TO THE AVERAGE CITIZEN AS CRIME ITSELF. ONE OF THE MOST SIGNIFICANT COSTS OF CONTINUING POLICE MISCONDUCT AND ABUSE IS THAT THE GOOD, EFFECTIVE, AND ETHICAL POLICE OFFICERS IN THE PORTLAND POLICE BUREAU HAVE HAD TO BEAR THE BURDEN OF CITIZEN DISTRUST BROUGHT ABOUT BY THE ACTIONS OF A FEW POLICE OFFICERS ENGAGING IN MISCONDUCT. IT HAS BECOME CLEAR TO THE URBAN LEAGUE THAT THE EXISTING POLICE DISCIPLINE SYSTEM HAS NOT EFFECTIVELY DETERRED MISCONDUCT AND ABUSE BY THOSE POLICE OFFICERS WHO MISINTERPRET THEIR RESPONSIBILITY TO ENFORCE THE LAW AS

A PEROGATIVE TO VIOLATE THE LAW. IT HAS BECOME EQUALLY CLEAR TO US THAT A MAJOR RESTRUCTURING OF THE INTERNAL INVESTIGATIONS DIVISION AND THE ENTIRE POLICE DISCIPLINARY PROCESS IS NECESSARY IF CITIZENS OF PORTLAND ARE TO BE ASSURED THAT THEY WILL BE PROTECTED BY THE POLICE RATHER THAN VICTIMIZED. WE ARE GREATLY DISAPPOINTED THAT THE CITY COUNCIL HAS NOT YET SEEN FIT TO INITIATE SUCH A RESTRUCTURING OF THE POLICE DISCIPLINARY PROCESS.

THE ORDINANCE YOU ARE CONSIDERING DOES NOT MATERIALLY REFORM NOR EVEN ALTER THE EXISTING, INADEQUATE, PROCESS. THIS ORDINANCE WILL NOT RESOLVE NOR SUBSTANTIALLY ALLEVIATE THIS CRITICAL PROBLEM OF POLICE ABUSE AND MISCONDUCT. YET WE RECOGNIZE THAT THE ESTABLISHMENT OF AN INTERNAL INVESTIGATIONS AUDITING COMMISSION IS A FIRST STEP IN BEGINNING TO ADDRESS THIS ISSUE, AND WE ARE PLEASED THAT YOU ARE TAKING THIS FIRST STEP, AS SMALL AND TENTATIVE A STEP AS IT IS. IT IS OUR HOPE THAT THE INTERNAL INVESTIGATIONS AUDITING COMMISSION CAN BECOME A FORUM FOR CONTINUING EVALUATION AND DISCUSSION ON THIS ISSUE, AND AN AVENUE FOR INITIATING MEANINGFUL CHANGE AND RESTRUCTURING. WE DO FEEL THAT THERE NEEDS TO BE SOME MINOR MODIFICATIONS AND AMENDMENTS TO THIS ORDINANCE TO ASSURE THAT THE AUDITING COMMISSION CAN SUCCESSFULLY CARRY OUT THIS ROLE YOU HAVE ENVISIONED FOR IT. WE, THEREFORE, WOULD LIKE TO PROPOSE AND RECOMMEND THE FOLLOWING ADMENDMENTS AND MODIFICATIONS TO THIS ORDINANCE FOR YOUR CONSIDERATION:

1. THAT SECTION d. (PAGE 5) OF THIS ORDINANCE (REGARDING PREPARATION OF WRITTEN REPORTS AND RECOMMENDATIONS FOLLOWING QUARTERLY EVALUATIONS) BE AMENDED SO AS TO

INSTRUCT THE INTERNAL INVESTIGATIONS AUDITING COMMISSION TO SUBMIT THE QUARTERLY REPORTS AND ACCOMPANYING RECOMMENDATIONS TO THE CITY COUNCIL AT A PUBLIC HEARING, RATHER THAN TO THE POLICE CHIEF AND POLICE COMMISSIONER.

THIS WOULD FACILITATE COMMUNICATIONS BETWEEN THE AUDITING COMMISSION AND THE ENTIRE CITY COUNCIL, ENCOURAGE FULL DISCUSSION AND DEBATE ON AUDITING COMMISSION FINDINGS AND RECOMMENDATIONS, AND ALLOW THE CITY COUNCIL TO RECEIVE IMMEDIATE PUBLIC FEEDBACK ON THE DESIRABILITY OF AUDITING COMMISSION RECOMMENDATIONS.

- 2. THAT SECTION d. BE FURTHER AMENDED (OR A NEW SECTION ADDED, AS APPROPRIATE) TO AUTHORIZE THE INTERNAL INVESTIGATIONS AUDITING COMMISSION TO DIRECTLY INTRODUCE ORDINANCES AND/OR RESOLUTIONS FOR THE CITY COUNCIL'S CONSIDERATION TO EFFECT IMPLEMENTATION OF THE AUDITING COMMISSION'S RECOMMENDATIONS.

THE ABILITY TO PROPOSE ORDINANCES AND RESOLUTIONS DIRECTLY TO THE COUNCIL WILL ASSURE THAT AUDITING COMMISSION RECOMENDATIONS WILL BE DEALT WITH QUICKLY AND EFFECTIVELY AS THE IMPORTANCE THEY WILL POSSESS WARRANTS. THIS WILL PREVENT SUCH DELAYS IN IMPLEMENTING AUDITING COMMISSION RECOMMENDATIONS WHICH THE COUNCIL FINDS DESIRABLE SUCH AS HAS OCCURRED IN THE

IMPLEMENTATION OF THE RECOMMENDATIONS OF THE CITIZEN'S
TASK FORCE ON INTERNAL AFFAIRS.

WITH THE INCLUSION OF THE TWO MODIFICATIONS WE HAVE PROPOSED, THE URBAN LEAGUE OF PORTLAND FEELS THAT THE INTERNAL INVESTIGATIONS AUDITING COMMISSION CAN BE AN EFFECTIVE FORUM FOR CONTINUING EVALUATION AND DISCUSSION OF THE POLICE DISCIPLINE ISSUE, AND AN AVENUE FOR INITIATING MEANINGFUL CHANGE OF THE POLICE DISCIPLINARY SYSTEM AS PROVES NECESSARY. WE URGE YOU TO ADOPT OUR RECOMMENDED AMENDMENTS AS A PART OF THE FINAL ORDINANCE.

ORDINANCE LANGUAGE FOR AMENDMENTS PROPOSED BY
THE URBAN LEAGUE OF PORTLAND

153076

DELETE SECTION d. (PAGE 5) AND REPLACE WITH:

d. IN ORDER TO FACILITATE THE COUNCIL'S CONSIDERATION OF COMMISSION EVALUATIONS AND RECOMMENDATIONS, THE COMMISSION SHALL:

(1) AT THE CONCLUSION OF ITS QUARTERLY REVIEW, AT ANY OTHER TIME AS THE COMMISSION DEEMS APPROPRIATE, OR AT THE REQUEST OF THE COUNCIL, THE COMMISSION SHALL PREPARE A WRITTEN REPORT AND EVALUATION UPON THE ACTIVITIES OF THE IID. THIS REPORT AND EVALUATION SHALL INCLUDE ALL RECOMMENDATIONS AS TO POLICY AND PROCEDURAL MODIFICATIONS DEEMED BY THE COMMISSION TO BE NECESSARY TO ASSURE PROPER FUNCTIONING OF THE CITY'S POLICE DISCIPLINARY PROCESS. THIS REPORT IS TO BE PRESENTED TO THE COUNCIL, AT A PUBLIC HEARING, WITHIN 30 DAYS FOLLOWING THE COMPLETION AND APPROVAL OF THE REPORT BY THE COMMISSION.

(2) ENJOY THE AUTHORITY TO INTRODUCE BEFORE THE COUNCIL, FOR CONSIDERATION FOR ADOPTION BY THE COUNCIL, ANY ORDINANCE AND/OR RESOLUTION THE COMMISSION DEEMS NECESSARY TO IMPLEMENT RECOMMENDATIONS CONTAINED IN ITS REPORTS AND EVALUATIONS OR WHICH THE COMMISSION DEEMS NECESSARY TO ASSURE PROPER FUNCTIONING OF THE CITY'S POLICE DISCIPLINARY PROCESS. THE CITY AUDITOR'S OFFICE IS TO RECEIVE, PROCESS, AND PLACE ON THE COUNCIL CALENDAR ALL SUCH ORDINANCES AND/OR RESOLUTIONS INTRODUCED BY THE COMMISSION AS IF THEY WERE INTRODUCED BY A CITY COMMISSIONER.

received at hearing 3/18/82

LEAGUE of WOMEN VOTERS of PORTLAND

610 DEKUM BUILDING
TELEPHONE 228-1675
PORTLAND, OREGON 97204

519 S.W. 3rd

153076



March 18, 1982

Testimony before the City Council - March 18, 1982

Re: Ordinance #698 - Citizens' Auditing Commission

I am Kris Hudson, President of the League of Women Voters of Portland, 519 S.W. Third, Portland, 97204, and I am here today to speak for the League of Women Voters of Portland in support of Ordinance #698.

The League of Women Voters of Portland has just concluded a two-year study of the Portland Police Bureau. The first year concentrated on the organization of the Bureau while the second year focused on police/community relations. At the conclusion of our study our membership reached consensus and adopted a Portland Police Bureau position, thus giving us our base for action. Our study showed a strong need for better police/community relations. It also showed a need for an effective form of citizen involvement in the functions of the Bureau to ensure the accountability of the police to the citizens they serve.

One of the basic principles of the League of Women Voters is to promote political responsibility through informed and active participation of citizens in government. In this matter which concerns you today, the ordinance to establish a Citizens' Auditing Commission, the League urges you to vote yes. We believe that this ordinance was the result of an orderly process of citizen involvement; it represents a thorough investigation of the complaint process by the Citizen Task Force on Police Internal Affairs. While recognizing there could be other proposals made for some other form of citizen involvement, we find that this ordinance is fair to all parties. It does not take away the authority of the police to conduct investigations, but it does preserve the citizens' right to a fair and just administration and would do much to enhance trust in the Bureau. We believe it is workable because it would primarily function within the present structure of city government and does not appear to require expensive budget outlays. Furthermore, we believe this ordinance embodies the right and duty of citizens to take an active, informed, and responsible part in the functioning of their Police Bureau. Thank you.

I'm positive that Dr. Storrs & her committee have worked hard & long - & well intentioned - but - 153076

LETS NOT MAKE IT TOUGHER FOR THE POLICE TO DO THEIR WORK. We're going to "scare" good policemen - make them afraid to perform. Lets not make it easier for the "bad guys". Its usually the guilty, or people with something to hide that want more restraints on the police.

More & more layers of bureaucratic red tape - all lead to lack of effectiveness. Next year - more staff - more cost - more bureaucracy! Lets let the police - "police" - Lets back them up. Lets give them a vote of confidence.

We've got a good solid competent police chief - a law & order Mayor - both men with integrity & credibility.

If we have to - Lets put it on the ballot - Let the "people" decide.

Alan Drent



The American Jewish Committee

153076

PORTLAND CHAPTER • Ste. 930, 1220 S.W. Morrison St. • Portland, Oregon 97205 • (503) 295-6761

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GEORGE W. BROWN, AUDITOR
CITY OF PORTLAND, OR
March 16, 1982

BY _____

Mayor Frank Ivancie and
City Council Members
City Hall
1220 S.W. 5th Avenue
Portland, Oregon 97204

Dear Mayor Ivancie and City Council Members:

The Portland Chapter of the American Jewish Committee has voted to endorse the ordinance introduced by Commissioner Charles Jordan which would create a citizens' commission with powers to review and audit the internal affairs process of the Portland Police Bureau.

Our support, however, requires specific changes in the language of the ordinance as it has been introduced. Those recommended changes are attached. Our suggested changes will be incorporated in our testimony before the City Council.

Sincerely,

Micki Rosen
Board Member of the
American Jewish Committee

MR:mlb

Enclosure

ORDINANCE No.

- j. If there is a difference between the recommendation of the Commission and the final decision of the Police Commissioner, the Commission shall forward a copy of its written recommendation to the Police Commissioner together with a copy of the Commissioner's written response to the City Council for review and action.
- k. The Commission is not empowered to set the level of discipline for a police officer in any case.

Passed by the Council,

Commissioner Charles Jordan

Bill Rhodes;sn

March 12, 1982

Attest:

Auditor of the City of Portland



The American Jewish Committee

153076

PORTLAND CHAPTER • Ste. 930, 1220 S.W. Morrison St. • Portland, Oregon 97205 • (503) 295-6761

MAR 16 3 31 PM 1982

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CITY OF PORTLAND, OREGON

March 16, 1982

BY _____

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1220 S.W. 5th Avenue
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Sincerely,

Micki Rosen
Board Member of the
American Jewish Committee

MR:mlb

Enclosure

SUGGESTED CHANGES TO ORDINANCE

Page 3, b, change to read:

"The Commission shall consist of nine members with eight appointed by the mayor from lists of four people submitted by each City Council member, other than the mayor, with at least one member being appointed from each list, and one appointed by the mayor from a list submitted by the Chief of Police."

Page 4, section c(2), insert the following before the first sentence:

"Design a system for preparation of information necessary to conducting an audit, with the assistance of appropriate staff."

Page 5, (6), add the following to the end of the sentence:

"...add rules of due process."

Page 6, add the following section after (2), giving it a number (3) and changing the numbers following in sequence:

"All parties to the complaint must be notified in writing within 20 days of the filing of the appeal."

Page 7, add under f (1):

"...and its importance to police/community relations."

Page 9, k, add the following:

"The Commission, however, may recommend the level of discipline to the Police Commissioner."

We are concerned that the Auditing Department may not be the proper department for staffing the Commission and that the ordinance be modified to comply with Oregon's open hearing law. However, we believe these concerns are being addressed by others.

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MAR 18 1982

MAYOR'S OFFICE

March 16, 1982

Dear Mayor Ivancie,

I'm a writer for the company that served as advertising agency for the Bob Packwood Re-Election Campaign of 1980. We are also the ad agency for the Port of Portland, Tri-Met, Omark Industries, First State Bank and a number of other prominent local companies.

I'm writing to express my deep concern about the proposal to establish a "Citizens Review Board" for the Portland Police Department. I do appreciate the concerns of several City Commissioners, wanting police affairs to be open and above-board, with "nothing to hide".

But this measure would result in a group of people who are not familiar with the day-to-day realities of law enforcement, in effect, second-guessing the internal workings of the department. Obviously, that wouldn't be their purpose, but that would be the result.

The people of this city already have perfectly legitimate, well-operating avenues to register complaints against the Portland police. But at a time when crime is skyrocketing in this city, we are not concerned about being protected from the police. We would simply like to be protected by the police.

Another level of government, looking over the department's shoulder, will only distract from the primary duty of law enforcement. The rights of the accused and those of local citizens are already safeguarded very securely by local, state and federal law.

Therefore, I urge you to adopt measures that will enhance the ability of the Portland police department to restore the peace that seems to be so easily broken these days. The Citizens Review Board is well-intentioned, but I believe, alarmingly counter-productive to the safety of the City of Portland.

Sincerely,



Dave Newman

Writer/Producer

Borders, Ferrin & Norrander
Advertising

111 S.W. Oak (near the police station)
Portland, Oregon 97204

P.S. This is a copy of a letter sent to the other members of the City Council. I know very well where you stand, Mr. Mayor, and I congratulate you on your position.

153076

1034 SW Cheltenham St.
Portland, Ore, 97201
March 10, 1982

Francis W. Ivancie, Mayor
City Hall
Portland, Ore. 97204

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MAR 15 1982
MAYOR'S OFFICE

Dear Mayor Ivancie:

We are very disappointed at your outright rejection of a citizens' advisory group to audit public complaints against the Police Bureau. The citizens' committee which proposed this permanent panel has worked very hard to come up with an advisory system which would avoid problems encountered in other cities and give both citizens and police more assurance of thorough and fair handling of grievances. Public confidence in the Police Bureau has sunk very low following the possum incidents, planted evidence and other abuses.

We urge you to reconsider and take a more fair as well as politic course and accept these suggestions.

Sincerely,

Jean P. Macfarlane

Jean P. Macfarlane

D W Macfarlane

David W. Macfarlane

Copies to Commissioners Jordan, Lindberg, Schwab. Strachan



CONGREGATION SHAARIE TORAH

920 N.W. 25th AVENUE
PORTLAND, OREGON 97210

153076

March 16, 1982

Tel. 226-6131

Yonah H. Geller
Rabbi

Jerry Berkowitz
Cantor

The Rev. Chaim Reznik
Executive Director

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Dr. Eric Weiss

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Aaron Olshen

Jack Rosenfeld

Harold Schnitzer

Charles Zidell (Life)

Mary Lou Dailey

Executive Secretary

Ms. Margaret Strachan
City Commissioner
1220 S.W. Fifth Avenue
Portland, Oregon 97205

Dear Commissioner Strachan:

It is not often that I express myself about a matter being considered by the Council. However, I know that at your Thursday meeting the matter of a Citizen's Review Committee for the Portland Police will be on the agenda.

I am assuming that we have confidence in the Portland Police force and in its leaders. I am of the opinion that they are not only well qualified, but equally responsible for policing their own department. Once you get a group of citizens involved in the police force, you open a can of worms, and political pressure and ethnic pressure will be exerted to the detriment of the men responsible for maintaining peace in our community.

I would hope that you would seriously consider the consequences and permit the Portland Police Department to review its own members and their activities.

Sincerely,

Yonah H. Geller
Yonah H. Geller,
Rabbi

YHG:mld

Copy: Chief of Police, Ronald Still
Mayor Frank Ivancie



CONGREGATION SHAARIE TORAH

920 N.W. 25th AVENUE
PORTLAND, OREGON 97210

153076

March 16, 1982

Tel. 226-6131

Yonah H. Geller
Rabbi
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The Rev. Chaim Roznik
Executive Director

Mr. Mike Lindberg
City Commissioner
1220 S.W. Fifth Avenue
Portland, Oregon 97205

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Mary Lou Dailey
Executive Secretary

Dear Commissioner Lindberg:

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Rabbi

YHG:mld

Copy: Chief of Police, Ronald Still
Mayor Frank Ivancie



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920 N.W. 25th AVENUE
PORTLAND, OREGON 97210

March 16, 1982

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Harold Schnitzer
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Mary Lou Dailoy
Executive Secretary

Ms. Mildred Schwab
City Commissioner
1220 S.W. Fifth Avenue
Portland, Oregon 97205

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Rabbi

YHG:mld

Copy: Chief of Police, Ronald Still
Mayor Frank Ivancie

RECEIVED
153076
MAR 18 1982
MAYOR'S OFFICE

March 16th, 1982

Portland City Council Members
CITY HALL
1220 South West Fifth Avenue
Portland, Oregon

RE: Ordinance.... Civilian Review Commission
for the Portland Police Department

Dear Members of the Council
Ivancie, Schwab, Jordan, Lindberg and Strachan

Our local newsmedia has reported that our city council has under current consideration an ordinance which would establish a Civilian Review Commission.

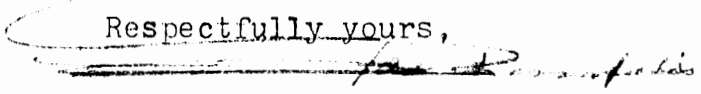
Since Portland's early history on most all occasions there has been an absence of a "board or commission".... Perhaps it can be said that this additional accountability arises when a local government and its citizens lack in their confidence for a particular department.

How does the Portland Police leadership, its staff and supporting departments survive when they must be regulated by local government, the civil service, union organization, the responsibility to the district attorney, ... to name a few. By adding another body to this e.g. the CRC just diminishes the assertive role of the police community. We are introducing a recessive idea most untimely. Rather than our City Council saying... we have confidence in our leadership in the police department... and in its men and women who perform the daily functions... It could be interpreted by many, many citizens that our police system is on "trial" because as a disciplinary organization it lacks in maintaining its own discipline. This antithesis will compromise effective police leadership and give way to the criminal element which will inturn stifle the time and energy of the police activity.

I ask that you give the appropriate respect to the police chief, his captains, lieutenants, sergeants, officers and staff... have confidence in their abilities... and they deserve the opportunity to prove themselves once again as being one of America's finest arms of the law. If their practices fall short... then the council may remedy their concerns by first using their own umbrella and if this fails and only under considerable and substantive departures... we can then resort to a temporary and specific "commission"

Thank you for your attention and response.

Respectfully yours,


E. John Rumpakis, 3132 North East U.S. Grant Place
Portland, Oregon 97212

EJR:r

131 Maple Blvd.
Troutdale, Oregon 97060
March 11, 1982

153076

RECEIVED
MAR 15 1982

MAYOR'S OFFICE

Mr. Frank Ivancie:
Mayor of Portland
Portland, Oregon

Dear Mr. Ivancie:

My family and I was watching the news report on channel 6 in regards to police censorship in Portland, Oregon. We lived in Portland for many years and loved the city, yet we find it very hard to believe your attitude regarding police censorship after the adverse police corruption, which has recently happened within our city. When one hears that the Police Chief is in 100 percent opposition to censorship after all our city lawenforcing corruption, one can understand exactly why he doesn't wish to have an unbiased panel censor his officers actions, but to hear our mayor defend his actions makes one really wonder. If they aren't hiding somethings under the table, I would think that they would welcome censorship holdheartaly.

It frightens me to hear you make the statement that the only people that have been arrested are the ones complaining for censorship. Maybe you ought to get arrested them just maybe you would and could understand the true complaints those people have. I have always had the deepest respect for you Sir, but you shock our whole family. Its a proven fact that thousands of innocent people get arrested each year, yet aren't guilty of the crime that they have been arrested for. Do you really believe Sir, that everone is guilty just because some police officer make an arrest. If you feel this way you don't belong in a society that states that one is innocent until proven guilty. Have you forgotten those facts regarding a free countrie's citizens rights???? I well understand that there is many of those people who live in our country that feel that our law-enforcing agencies can't do any wrong. I truly don't believe you to be such a man. I think you have more common sence than to believe such garbage. I don't have any idea why such a decent man such as I feel you to be, taking the sides of police officers that have proven their need to have someone censor their actions. I'm sincerely flabbergasted at your attitude Mr. Ivancie. You amaze us, Sir.

I worked for the U.S. Postal Service many years and now am retired, and it hasn't been to many years back when they would terminated one of their employees for being caught gambling, yet those officers that have sworn to uphold the law to the fullest, play games killing opossums and then go pitch the dead opossum on businessmen's doorsteps, while on duty and getting wages from the taxpayers, get re-instated to play more tricks. Please don't tell me that you believe this to be justice for all. If you do what I have to say to you Sir wouldn't be very pleasant for either of ours ears to hear. Any man who has any common decency would know that our citizens deserve better treatment from those that we pay to serve us.

Lets stand up for the right over wrong, rather than give in to police power for we aren't living under a dictatorship as of now. If the Portland Police Bureau was capable of censorship, this city would never have had the news media broadcasting stories in regards to drug busts on innocent people by police narcotic officers planting their pockets, officers playing the opossum games, and to top it off we have Multnomah County judges- Thomas Loultrie doing favors for his chosen few. What other crap does these law-enforcing personnel have to do to get the politician's attention??? My family has long been one of your supporters, and would like to hear your side. PLEASE *M. J. Mrs. Ray Schullen*

Dear Ivancy:

3-12-82

I don't think there is any way to stop police abuse of citizen's rights. I do believe that the police abuse these rights. Several incidents in the last couple of years seem to bear this out. Police abuse of rights is not new to Portland. It has been around for a long time, and it will persist, you and Still notwithstanding.

I will not support your objections ^{to} a citizen's oversight committee. I believe that citizens need to have some measure of control over our police force. I don't think that you or the police chief you appointed can control police abuses. Citizens need to have a hand in this endeavor. I intend to vote NO on the measure you propose to put to public vote. This might stop some police abuses.

Howard Rondthaler

Howard Rondthaler , 535 S.E. 70th Avenue, Portland 97215

From the desk of:
KARL McDADE SR.

3-10-82

153076

Dear Mayor Francis -

Re the so-called "Citizens
Crediting Committee" -

The citizens with whom
I have discussed this
subject, believe that
your suggestion that
such a matter, at the
very least, should be
put on the ballot for a
public vote - and this
only if an ordinance is
passed putting the matter before
the Council.

Still submit well - "Criminals
should be policed - not
the police."

Karl McDade Sr.
5333 S.E. 38 Ave.
Portland, Oregon

153076

507 NE 47th Ave.
Portland, OR 97213
March 10, 1982

Frank Ivancie, Mayor
City of Portland
1220 SW 5th
Portland, OR 97204

Dear Mayor:

Speaking as a conservative voter citizen, I think you are way off base on the police audit committee issue. Dr. Storrs' committee is right. I can't believe your political advisors are going along with you on this one.

Sincerely,


Ralph B. Reaume

RBR/mm

RECEIVED
MAR 11 1982
MAYOR'S OFFICE

153076
RECEIVED
MAR 18 1982
MAYOR'S OFFICE

13811 SE Foster
Portland, Oregon 97236
March 17, 1982

The Hon. Frank Ivancie
City Hall, 1220 SW Fifth
Portland, Oregon 97201

Dear Mayor Ivancie:

I am writing to thank you for protesting a citizen review board for police. False charges would be made public, and further damage done to police morale. Persons who haven't faced the danger they do should not be in a position to judge their actions.

It makes as much sense to have a skin doctor for instance, analyzing police problems as it would to have a policeman diagnosing skin problems!

Sincerely,

Joyce M. Sakli

ORDINANCE No. 153076

An Ordinance amending Title 3, Administration, of the Code of the City of Portland by adding a new Chapter, 3.21, Police Internal Investigations Auditing Committee, which creates a committee, comprised of three (3) members of the Council, and assisted by City staff personnel and citizen volunteers, charged with the responsibility of investigating, as authorized by Section 2-109 of the Charter of the City of Portland, the internal investigations system utilized by the Bureau of Police in resolving allegations of police officer misconduct by reviewing the overall process and by hearing certain appeals, filed either by the complaining citizen or the accused officer, in such cases.

The City of Portland ordains:

Section 1. The Council finds:

1. That the Internal Investigations Division (IID) of the Bureau of Police is responsible for investigating allegations of police officer misconduct.
2. That recent events have caused the citizens of Portland to question whether or not the "police policing themselves" is a process that is fair, efficient, thorough, responsive and concerned equally with the rights of the complaining citizen and the accused officer.
3. That as a result of this public concern a Citizen's Task Force on Internal Affairs was appointed to make a six-month study and to make recommendations on both how the police internal investigation process might be improved and how the public confidence could be enhanced.
4. That fourteen persons who could provide a wide range of perspectives were selected to serve on the task force. The group met 22 times during the six months, heard testimony from 20 witnesses, made random sample analyses of IID cases covering a recent one-year period and visited the IID office to examine its operation.
5. That the final report of the Task Force, dated July 16, 1981, was presented to the Mayor and Police Chief. The report listed eight major conclusions and made 20 specific recommendations for improvement.

6. That the Task Force agreed their most important recommendation to improve citizen confidence in their police was the establishment of an ongoing citizen committee to verify the fairness of the internal investigations process.
7. That in order to regain and maintain community credibility in the Bureau of Police internal investigation system, some ongoing process, external to that Bureau, must be established to ensure the effectiveness of that Bureau's process in resolving allegations of police officer misconduct.
8. That the most effective process that can be utilized, external to that Bureau, at this time, to regain and maintain community credibility in that Bureau's internal investigation system is to utilize that authority granted to the Council pursuant to Section 2-109 of the Charter to create a committee of its members to investigate, on an ongoing basis, that Bureau's system utilized to resolve allegations of police officer misconduct.

NOW, THEREFORE, the Council directs:

- a. That Title 3, Administration, of the Code of the City of Portland is hereby amended by enacting a new Chapter, 3.21, Police Internal Investigations Auditing Committee, as follows:

Chapter 3.21 Police Internal Investigations Auditing
Committee

- 3.21.010 Definitions
- 3.21.020 Committee Created, Duties
- 3.21.030 Committee Membership, Meetings
- 3.21.040 Committee Powers
- 3.21.050 Quarterly Reports
- 3.21.060 Filing of Appeals
- 3.21.070 Decision to Review Appeals

- 3.21.080 Auditor's Duties
- 3.21.090 Committee Action on Appeals
- 3.21.100 Response of Commissioner in Charge
- 3.21.110 City Council Review
- 3.21.120 Limitation on Committee Power

3.21.010 Definitions. Unless the context indicates otherwise, the following definitions are applicable to this chapter:

- (1) "Auditor" means the Auditor of the City of Portland, Oregon.
- (2) "Bureau" means the Bureau of Police of the City of Portland, Oregon.
- (3) "Chief" means the Chief of the Bureau.
- (4) "Commissioner in charge" means the Commissioner in charge of the Bureau.
- (5) "Committee" means the Police Internal Investigations Auditing Committee.
- (6) "Complainant" means a person who has filed a police misconduct complaint with IID.
- (7) "IID" means the Internal Investigation Division of the Bureau, whose responsibilities and procedures are described in Section 330.00 of the Manual of Rules and Procedures of the Bureau, as amended from time to time.

3.21.020 Committee created, duties. The Police Internal Investigations Committee is hereby empaneled to investigate, pursuant to the authority granted the Council by Section 2-109 of the Charter, the internal investigations system utilized by the Bureau of Police in resolving allegations of police officer misconduct. In conducting this investigation, on an ongoing basis, this Committee will carry out the following duties and responsibilities:

- (1) Monitor the IID process of resolving allegations of police officer misconduct to ensure that such inves-

tigations are effectively completed in an efficient, fair, thorough and timely manner showing equal concern for the rights of both citizens and police officers.

(2) Assist the Bureau in regaining and maintaining community credibility in its IID process by reporting its findings, conclusions and recommendations about such process in writing to the Commissioner in charge and/or the Council, making such reports available to the public, as well, for review.

(3) Provide an appeal process for either officers or citizen complainants who are dissatisfied with IID investigations or related decisions.

3.21.030 Committee membership, meetings.

(1) The Committee shall consist of three (3) members of the Council, duly authorized and appointed by the Council, for a term of one (1) year from the effective date of the enactment of this chapter. One Council member shall be selected by the Committee as chairperson. The Commissioner in charge of the Bureau of Police shall not be appointed to, nor shall he/she serve on, the Committee.

(2) Prior to the completion of this one-year period and each succeeding one-year period, the Council shall either extend the appointments of each Committee member's term for an additional one-year term or make such new appointments as it deems appropriate.

(3) The Committee may utilize the staff resources of those Council persons appointed thereto in carrying out its duties and responsibilities pursuant to this chapter.

(4) The Committee may utilize citizens who volunteer to participate in carrying out its duties and responsibilities pursuant to this chapter. Such citizens may be recommended by Council members, the Multnomah County Bar Association, the National Conference of Christians and Jews, the Chief, the Metropolitan Human Relations Commission or any other organization, association or public official.

(5) Committee meetings shall be subject to the Oregon public meetings law, ORS 192.610 through 192.710.

3.21.040 Committee powers. In carrying out its investigative duties and responsibilities and to otherwise administer its affairs, the Commission shall have the power to:

(1) Review a detailed quarter-yearly report, which shall be submitted in a timely fashion by the IID, through channels, and which shall describe, in summary form approved by the Committee, all IID activities during the immediately preceding quarter-yearly period.

(2) Independently monitor the Bureau internal investigative process, including visits to the IID offices, examination of IID documents, reports and files and such other actions that the Committee deems necessary and consistent with the purposes of this chapter. To maintain the security of such documents, reports or files, the Chief may require that the examinations be conducted in the IID offices.

(3) Hear and determine appeals from police officers or complaining citizens who are dissatisfied with the IID investigation or decision in a particular case or cases.

(4) Utilize the full powers granted by Section 2-109 of the Charter, including the power to compel the attendance and testimony of persons, administer oaths and to compel the production of documents and other evidence.

(5) Report publicly its findings, conclusions and recommendations.

(6) Adopt such procedural rules as are necessary to carry out its duties and responsibilities in conformity with this chapter.

3.21.050 Quarterly reports. At the conclusion of its quarterly review of the activities of the IID, the Committee will prepare a written report of its findings, conclusions and recommendations to the Commissioner in charge, the Chief and the Council.

3.21.060 Filing of appeals. Appeals, by citizen complainants or involved officers accused of misconduct, of a specific IID investigation(s) or decision(s) shall be subject to the following requirements:

(1) Any complainant or police officer accused in an IID complaint who is dissatisfied with the IID investigation or decision may appeal to the Committee.

(2) Appeals must be filed within 120 days from receipt of the Police Bureau determination by the police officer or complainant, unless waived by the Committee for good cause shown.

(3) An appeal may be made either personally or in writing at the office of the City Auditor. The City Auditor shall help appellants complete the statement necessary for making an appeal.

(4) The appeal shall state:

(a) The name, address and telephone number of the appellant;

(b) The approximate date the IID complaint was filed (if known);

(c) The substance of the IID complaint and the reason for the appeal; and

(d) Whether the appellant believes the Committee should hear witnesses and, if so, the name, address and telephone number of all proposed witnesses.

3.21.070 Decision to review appeals. The Committee shall have discretion to determine which appeals it will review and whether to receive testimony from witnesses. The Committee shall exercise its discretion after reviewing the IID file and communicating with the appellant. In exercising its discretion, the Committee shall consider the following factors:

(1) The seriousness of the complaint;

(2) The likelihood of error by the IID;

(3) The number of similar appeals received by the Committee;

(4) The likelihood that testimony will contribute materially to a fair review of the appeal; and

(5) The time available to the Committee considering the total number of appeals filed.

3.21.080 Auditor's duties. The office of the Auditor shall accept appeal requests, in writing, during regular business hours. Such requests shall be recorded and forwarded in a timely fashion to the Committee.

3.21.090 Committee action on appeals. After considering an appeal by a complainant or an officer, the Committee shall inform the Commissioner in charge and Chief in writing, stating:

(1) That it agrees with the IID investigation and recommends that the IID determination be approved;

(2) That it feels further investigation is warranted and the case should be reopened; or

(3) That it feels the determination of the IID was inappropriate and the decision should be reviewed by the Commissioner in charge and Chief.

3.21.100 Response to Commissioner in charge. The Commissioner in charge, after reviewing a report provided by the Committee under Section 3.21.050 or 3.21.090, shall respond promptly to the Committee in writing, but in no event more than sixty days after receipt of the Committee report. The response shall indicate (whichever is applicable):

(1) What, if any, policy or procedural changes within the IID are to be effectuated as a result of recommendations made pursuant to Section 3.21.050, or

(2) The final disposition of a particular case after considering the report of the Committee.

3.21.110 Council review.

(1) If there is a difference between the recommendation of the Committee and the Commissioner in charge concerning a particular IID investigation, the Committee shall forward a copy of its written report concerning that particular investigation together with the Commissioner's response to the Council for its review and appropriate action.

ORDINANCE No.

(2) The Committee shall forward a copy of each of its quarterly reports in a timely manner to the Council for its review and appropriate action.

3.21.120 Limitation on Committee power. The Committee is not empowered to set the level of discipline for any police officer in any case.

Passed by the Council, **APR 8 1982**

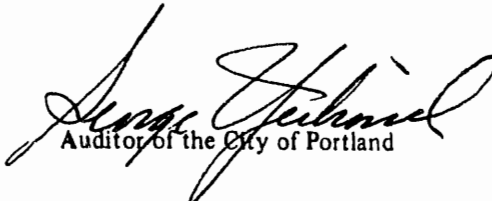
Commissioner Jordan

Bill Rhodes

Revised: KH Scouperdis

March 23, 1982

Attest:


Auditor of the City of Portland

Sub. Calendar No. ~~770~~

ORDINANCE No. 153076

Title

An Ordinance amending Title 3, Administration, of the Code of the City of Portland by adding a new Chapter, 3.21, Police Internal Investigations Auditing Committee, which creates a committee, comprised of three (3) members of the Council, and assisted by City staff personnel and citizen volunteers, charged with the responsibility of investigating, as authorized by Section 2-109 of the Charter of the City of Portland, the internal investigations system utilized by the Bureau of Police in resolving allegations of police officer misconduct by reviewing the overall process and by hearing certain appeals, filed either by the complaining citizen or the accused officer, in such cases.

MAR 25 1982

CONTINUED TO APR 8 1982

Filed Mar. 25, 1982

GEORGE YERKOVICH Auditor of the CITY OF PORTLAND

By *Jordan Powell* Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	1	
LINDBERG	1	
SCHWAB		1
STRACHAN	1	
IVANCIE		1

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY
Commissioner Jordan

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety <i>[Signature]</i>
Utilities
Works

BUREAU APPROVAL
Bureau:
Prepared By: <i>[Signature]</i> Date: 3/23/82
Bill Rhodes
Revised: K.H. Scoumperdis
Budget Impact Review:
<input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:

CALENDAR	
Consent	Regular

NOTED BY
City Attorney <i>[Signature]</i>
City Auditor
City Engineer