



City of Portland Oral History Program

Police Accountability and the Independent Police Review Oral History

Constantin Severe
Transcript
2023

CONTENT WARNING: This interview discusses sensitive subjects including police violence and death. Statements made in this interview are the recollections and views of the interviewee, not the City of Portland Archives.

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Constantin Severe Oral History Transcript

Interviewee: Constantin Severe

Interviewer: Morgen Young

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Location: City of Portland Archives and Records Center, Portland, Oregon

Transcribed by: Teresa Bergen

Morgen Young: My name is Morgen Young. I'm with Devin Busby. We are interviewing Constantin Severe for the City of Portland Oral History Program. It is February 9, 2023. We're in the Portland Archives and Record Center in downtown Portland. Thanks for being with us this morning.

Constantin Severe: Thank you. Thanks for having me.

MY: I want you to start by telling me about your decision to start working for the Independent Police Review Division.

CS: So, I was working as a public defender, a metropolitan public defender in Portland. And Mary-Beth Baptista, who had recently become the director of the Independent Police Review reached out. And a judge in town, Eric Bergstrom, also, kind of let me know about the opportunity. And I had been interested in making a shift from doing trial work. I didn't really, I actually didn't even know that there was a police oversight function in the city of Portland. And you know, talking to Mary-Beth, it just sounded really interesting, the opportunity to be kind of proactive a little bit on police misconduct and an opportunity to work on policy issues.

MY: Did your work as a public defender prepare you in any way for the job?

CS: Yeah. I mean, I had an opportunity to work with police, knew police procedure at some level. Obviously, I learned it a lot more once I started working for the city. Yeah, just being, you know, familiar with criminal law, particularly search and seizure, and kind of constitutional law around criminal issues was super helpful.

MY: Can you give me a little bit of a history of IPR? When it was established and why?

CS: So, my understanding was IPR was created in the early 2000s under the direction of Auditor Gary Blackmer. There had been an oversight function prior to that called PIIAC. I can't remember what that stands for anymore, but which had been within the mayor's office, and under Mayor Vera

Katz, there had been kind of this work group that had been put together on looking at what would be the next iteration of oversight in the city of Portland. And kind of, there's a lot of kind of backs and forths. But where we ended up was having the oversight function being within the Auditor's Office. IPR being created around 2001 in the Auditor's Office, and at the time being a relatively small office. And in city code, there are a lot of different provisions about what IPR could do, but really the focus being on complaint intake and kind of making sure how the complaint was routed was like kind of the initial focus of let's say the first five or seven years of IPR's existence.

MY: So, you became assistant director in 2008?

CS: 2008. I want to say October of 2008, yeah.

MY: And so, around that same year, Mary-Beth Baptista had just become director.

CS: Yes.

MY: And then there was also, this independent performance review of IPR. That was seeming like it was starting to shape how IPR was responding to that review?

CS: Yeah, you know, that performance review was before my time in the office. But it did kind of, particularly the first year or so, it did have a lot of influence on how the office was kind of at least thinking about it, and I think some of the ideas within that performance review led to some of our initial code changes that happened in around 2010 and 2011.

MY: And it seems like—this is something I'm going to ask Mary-Beth, too—that community outreach was a part of a new focus on community outreach?

CS: Yes. Yes. I mean, I think one of the things that Mary-Beth did right after I got hired pretty soon was actually hire an outreach coordinator. And I think a lot of IPR, particularly in the early stages, was really kind of internally focused into the city and the Police Bureau, Mayor's Office. Kind of our own kind of gestation and formation. I think one of the things that Mary-Beth did really well was try to kind of transition us to be more integrated with the community.

MY: Can you talk through some of those?

CS: Yeah, just touching, kind of proactive community outreach, touching base with community organizations, community stakeholders, you know, disproportionately-impacted communities. So, let's say the African American community, the immigrant community. Because our outreach coordinator that we hired, Irene Konev, she comes from a kind of an immigrant background. And she did a really good job and she was really plugged in with kind of the immigrant community. And I think that's one, like I think IPR for an agency of its size, I think really did very well, if you compare us to basically any of the divisions or bureaus within the city at the time in particular on doing outreach.

MY: So, when you became assistant director in 2008, what were IPR's responsibilities regarding police accountability?

CS: Yeah, I mean, there's like kind of this dichotomy between what as in city code versus what IPR actually did. And code was expensive. Because IPR theoretically had the ability to do independent investigations, but to do an investigation, you had to, even to do interviews of officers, there's this really cumbersome process where you couldn't directly ask officers questions because of the collective bargaining agreement with the union. So, IPR, when I started, it was really a complaint intake office and kind of doing that initial triage. And then making a determination whether the case would be dismissed, whether it would be kind of what was called a service complaint. So, the officer was rude, and we do our initial intake and then, like, oh, okay, we'll send it to the officer's supervisor for kind of a—it's not even a corrective answer, but like a conversation between the supervisor and the officer about like hey, we got this complaint, here's how you can improve. And then referring cases to investigation. And the investigation would be done by Internal Affairs of the Police Bureau.

And then maybe sometimes there would be cases where there'd be a possible criminal nexus. And we could refer cases to the District Attorney's Office. But usually, I mean, particularly at that moment in time, that was relatively area.

MY: When Auditor Blackmer first proposed what became IPR, there was also the Citizen Review Committee.

CS: Yes.

MY: Can you talk about CRC and what its role was?

CS: Yeah. So, CRC served a couple of different roles. One, serving as an appeal body for complaints that had been completed, where a community member or an officer could go to CRC and say hey, we don't like how this finding was, and we'd like to appeal it to you. The other was as a community sounding board. And then policy development. And also, they had the ability to kind of do their own research and issue reports.

MY: And so, were you interacting with them as assistant director of IPR?

CS: Yeah, I would attend all their meetings. Serve as staff on what they called work groups. You know, kind of subcommittees of the CRC on certain discrete policy areas. You know, so, like service complaints or appeals. Auditing. You know, like they had the ability to audit IPR cases or internal affair cases to see how we handled it, if there was any kind of broader policy implications from what the review showed. Yeah.

MY: Thinking before the 2010 code changes.

CS: Yes.

MY: Just talk me through the general process of if someone wanted to submit a complaint to IPR.

CS: Particularly back then, it was somebody would give us a call, maybe send a letter. There was like a rudimentary online complaint process, I believe. But it was kind of just like somebody would send me an email. I don't think there was like an actual online form at that particular moment. They would, somehow, they would contact IPR. And an IPR investigator would reach out to the complainant and find out what their issue was. And if the officer was not identified, try to figure out who the officer was, or at least the part of town where the incident happened in like, let's say 2008,

2009, there wasn't the level of technology that exists now. Because by the time I left IPR, there are often times where a community member couldn't give us a name or date. But like if it was near a MAX station or something and there's video, you know. Or if was connected to a patrol vehicle, you can find out who's assigned to that patrol vehicle at that moment in time. So, as time went on, things got more sophisticated. But it's not that long ago. But it was pretty different.

MY: And you mentioned immigrant communities as one aspect of doing more outreach.

CS: Yes.

MY: So, what would happen if someone was a non-English speaker and they wanted to file a complaint?

CS: You know, we had one staff member that spoke Spanish, particularly an investigator. So, that was great. Spanish is usually the second most popular language that people would use. Over time, we had a Russian speaker. And we also had access to translation services and interpretive services.

MY: Were there any patterns or trends in complaints that were received and reviewed?

CS: Yeah, the biggest, I mean, the biggest complaints were always around kind of those quality-of-service issues. An officer didn't do enough, or they were rude. Rudeness complaints were kind of the biggest ones. I didn't like the way this officer talked to me; this officer was rude. You know, I was concerned about such and such behavior kind of in my community. I called the police and the police didn't really take it seriously. Those were kind of the bread and butter. Those were the most common complaints.

And then after that would be allegations around inappropriate use of force. And it can be brought in a sense to like this officer put hands on me in a way that was inappropriate. Or even like I got handcuffed when I didn't want to be handcuffed. So, it was kind of a wide gamut. But those were like kind of the two big categories.

MY: Were you able to gather demographics in terms of which communities complaints were originating?

CS: Yes. So, the complaint forms had I want to say demographic, like you could check your ethnicity or your race. I think at least on the phone calls, we would ask sometimes to kind of close out the interview. So, we, and one of the IPR's duties was to kind of report out to the community certain information and have an annual report. But what I recall was you know, the African American community in particular reported allegations of misconduct disproportionate to their presence in our population. It was always like somewhere between let's say eighteen to twenty-something percent. And African Americans are about six, seven percent of Portland's population.

MY: What would a decrease in the number of complaints received in any given year say about the IPR process?

CS: Yeah, numbers, they kind of shift. And so, like a year-to-year, I don't know if it had that much meaning. I know over time, particularly kind of compared to like IPR's early years, where there's I think almost like a backlog of like kind of issues or things that people wanted to talk about. And

over time, complaints decreased compared to the early years. Yeah, I don't know, truth be told, of whether increase or decrease of complaints kind of meant something. Yeah. Not sure.

MY: It seems like it's more complex than just saying a decrease means that the concerns were being addressed sufficiently.

CS: Yeah.

MY: It was more nuanced than that.

CS: Yeah. And particularly as time went on, IPR developed the ability to open its own complaints. And there were certain cases that require, like so, more recently let's say around the 2020 protests where there's a lot of allegations of use of force. And some of it came from DOJ [Department of Justice], some of it came from IPR's own initiative. So, let's say in that year the amount of complaints skyrocketed.

MY: I would also, imagine, too, thinking of 2008 to, say, 2020, which I know you were no longer with IPR.

CS: Yes.

MY: But now people can record their own evidence in these computers that they have in their pockets all the time.

CS: No, absolutely. I mean, in some ways kind of the introduction of handheld video devices and cellphones and all that, in some ways it made it easier and in some ways it made it—because like a lot of the videos that people record themselves, they're really interested in a discrete moment in time. So, they might not be videorecording like in the moments leading up to it. And if it's at night, there's not like great lighting. So, you really don't know. A lot of times, a lot of the videos were kind of disconnected from the larger context of what was going on. So, you don't know who the officers are, you don't know who the civilians are. You have the complainant, and sometimes even you'd get like anonymous videos emailed to us from kind of a recently setup email. So, it's just like there wasn't as much you can do with something like that.

MY: Right. Talk to me about how the relationship during your tenure with IPR evolved over time between IPR and then the Portland Police Bureau's Internal Affairs.

CS: I think generally we had a pretty good working relationship with Internal Affairs. Because Internal Affairs was our point of contact with the broader Police Bureau. The Internal Affairs gap then in the professional standards, commander, you know, those were people we worked with daily. And overall, we provided more or less the same function. IPR provided the civilian kind of perspective. And they provided like kind of that bureau experience, particularly with the sworn members of Internal Affairs. They're police officers. They understand the agency. And so, yeah, we're able to work a pretty good relationship with them. And also, we had a lot of contact and a lot of communication about cases and procedure. And we helped developed procedures together. So, it was a pretty good relation. I mean, like I think sometimes there were conflicts, just from particularly a different perspective. But I think overall, it was a pretty healthy relationship.

MY: What about with the Police Bureau more broadly?

CS: Police Bureau, I mean, you know, that kind of waxed and waned, I think. Like sometimes it was decent. But there were definitely times when IPR's interest and the Police Bureau's interests were very different. Particularly when you think about like the settlement agreement with the Department of Justice, how IPR interpreted the settlement agreement and the bureau interpreted the settlement agreement I think sometimes were different. IPR, we're an investigative agency. And over time, IPR got increased authority. And IPR was starting to open up investigations into one, bureau members, and then command staff. That was like one of the discrete areas where IPR decided to like okay, we don't really have the bandwidth to do all these misconduct allegations as full investigations ourselves. We will take a category, like four or five different categories. And one of the categories that we took was persons of the rank of captain and higher. And so, you know, when you start doing investigations of commanders and assistant chiefs and even chiefs of police, it creates some potential conflict and potential for backlash.

MY: So, let's talk about these code changes that you've referenced. This is 2010 when city code changes. And you had a new auditor and she was quite supportive.

CS: Yes. Yes.

MY: So, talk to me about her support.

CS: Yeah, I mean, I think you really, particularly as a city bureau or agency, really there's not much you can do if you don't have your elected support. And IPR, within the Auditor's Office, our elected was the city auditor. And the Auditor does not sit on City Council. But I think one of the key powers of the city auditor is the ability to place things on the Council agenda and place it for a vote. And we were lucky at IPR to have several supportive auditors. And particularly in the 2010 context, we had the death of Aaron Campbell and just how heart-wrenching that was for our community. And there were a number of things that you know I think from an IPR level we thought that like we could improve the investigative process. And 2010 was like kind of the first big effort to do that during my time at IPR. It's like, you can't even really call it antiquated. Because at that point, IPR is less than ten years old. But just some processes that just didn't work well that were deeply embedded in city code. And brought it to the Auditor. And she was supportive of the changes. And I think as important as that was that we had pretty broad community support. And like the key stakeholders, like let's say Albina Ministerial Alliance and some other community groups. And I think the efforts to start doing outreach proactively paid dividends. Particularly in that first code change effort. Because it's a pretty, I mean, there are still things that IPR is doing now that are embedded in city code that trace back to that 2010 code change.

MY: You mentioned Aaron Campbell.

CS: Yes.

MY: There are other cases of officer-involved shootings and in-custody deaths. I think of James Chasse, Kendra James before. When these happened, would you notice that IPR would get flooded with a lot more complaints? Or would now with these code changes, IPR begin investigations of its own accord?

CS: I mean, that took a little longer. That took several more code changes. I think the 2010 code changes were important. They set up the Police Review Board where IPR had the ability to kind of formalize IPR's ability to kind of review misconduct cases and created the Police Review Board, which had civilians and Police Bureau members making you know, findings on misconduct cases and including IPR as a voting member. That was pretty significant. You know, IPR's ability to do misconduct investigations on its own as like kind of clarifying and being able to do that on its own, that came a few years later.

MY: And so, these, there were some additional code changes in 2013. Are these related to what you're discussing?

CS: Yeah. Yeah, I mean, it seems like it averaged to a code change every couple of years. And sometimes those every year. So, I want to say during my time at IPR, we did five or six code changes. So, by the time I left, we had pretty robust authority to do investigations in kind of the category cases that we had the authority to do. I think the one area that we didn't have was officer-involved shootings, in-custody deaths, in that we were not allowed to do that per the city's contract with the Portland Police Association. So, that was, and like the ability to do those types of cases, that requires a lot of training and a lot of dedication of resources that would have been really hard for us to do, I think. And to do well.

MY: 2013 is also, when you became director, I believe.

CS: Yes. Yes. Mary-Beth was director for about five years, and I was director for about six. So, yeah, 2013 is when, yeah...

MY: What was the shift in what perhaps an average work week would look like for you as director compared to assistant director?

CS: I mean, I think the biggest shift was IPR has always had kind of worker managers. And the important piece of being director is also, kind of doing that external interface with community members, elected officials, stakeholders, talking to City Council about just what IPR is doing, particularly code changes. And then you know, by this point, you know, the DOJ settlement agreement was kind of becoming more and more of a force. And there's a lot of code changes that we had to do to be in compliance with the Department of Justice settlement agreement.

MY: So, let's unpack that a bit. So, that starts in 2011.

CS: Yes.

MY: The US Department of Justice decides that they're going to investigate.

CS: Yes.

MY: This is related, I believe, to a bunch of officer-involved shootings and in-custody deaths related to people having mental health crises?

CS: Yeah. Initially it was spurred by the death of Aaron Campbell. And I think initially, before they formally opened up something, they kind of were doing an initial review of does Portland have an

issue of disproportionately using force, violating the 14th Amendment rights of persons of color. And then after they did their due diligence and their investigation, they kind of narrowed the focus to persons experiencing mental illness. I think what they said was that they didn't have enough evidence on persons of color, particularly African Americans, whether the Bureau used disproportionate force. In their findings they stated that they believed there was a pattern or practice of using disproportionate force. Which is, you know, kind of the magic words using the statute language in the federal statute.

MY: As the investigation was happening, was that directly impacting IPR?

CS: Yes. In some ways. Because DOJ would come in for visits. We would do interviews. They reviewed our cases. They would give us some feedback. There were some ideas that they introduced that got formalized in the actual settlement agreement, like the concept of every use of force would be subject to some sort of review at the precinct level. Which at the time folks were concerned like even though not every contact with a community member ends up in a use of force. But a police agency the size of the Portland Police Bureau, there's going to be a significant amount of use of force. And trying to figure out how that would actually work.

Like I mean, I think if you want to talk about like one of the really best things that came out of the settlement agreement, the idea that every use of force is going to be reviewed, and that there's potential for lessons learned from the use of force review. You know, from an IPR perspective, we're concerned about if we have to actually investigate a use of force, if there had been some previous investigation of whether that would kind of contaminate or not ruin, but like kind of make our investigation more difficult. But I think come to find out, I think having that relatively early on, almost contemporaneous review of use of force, that created like some evidence that even if there was a complaint five or six months down the line, we could refer to that earlier investigation and use leads from that or use some of the work product from that earlier investigation.

And the Police Bureau had already had a decrease in the amount of use of force from let's say 2009, 2010. For a significant period of time each year, there was less use of force. But I feel that that requirement led to an even greater decrease in the use of force by Police Bureau members.

MY: Define for me what they were considering use of force. Because it seems like it could be a pretty broad definition of extreme versions.

CS: Yeah. And that was something that ended up being defined in directive.

MY: Would handcuffing someone be considered use of force?

CS: I feel like that's kind of gone back and forth. But there was a, let's say putting hands on somebody but they resisted. For a long time, that was considered a control whole, but not necessarily a use of force. Under the settlement agreement and kind of further kind of elaboration of that, that was considered a use of force. Particularly if there was some sort of like particularly unwanted physical application of some sort of force, even if it was slight. In the crowd control context, when crowd control officers would use less-than-lethal weapons and munitions on people, that was, per the settlement agreement, that's a use of force. A shove, obviously like an officer striking someone.

I think it was beneficial in a couple of ways. One, requiring officers when they wrote their use of force reports to clearly articulate what was their rationale for use of force and applying the directives, kind of integrating what they learned and then training and all that and what's actually in

the directive to the actual situation. And then requiring a supervisor to review that use of force and be able to say okay, you're within policy or out of policy. And I feel like there are some sergeants who kind of received feedback from further up the chain or Department of Justice on hey, you guys need to do a better job. Just the fact that folks in the Police Bureau really had to think about why force was being used, and actually applying their directive. Which over time became pretty restrictive on the use of force. You know, beyond like let's say our constitutional standard. I think that had some really beneficial aspects to the city.

MY: So, you've mentioned that that was one significant change that happened because of the settlement. Were there others that have direct impact on IPR?

CS: Yeah. I mean, So, by the time I left, IPR had the ability to actually write findings on investigations. Because for a period of time, IPR would do these investigations and just like okay, basically just kind of write down the facts. But not apply the facts and the standard and issue a finding, which from an investigative perspective, it always seemed kind of weird. And without the settlement agreement, we would not have been able to actually issue findings. Which I felt, because really in the case of the IPR was doing, the IPR investigator, IPR staff, knew that case the best. And so, it was important, particularly that since we're civilians and we had a pretty unique lens, and we specialize in certain types of cases. You know, crowd control cases and captain or higher investigations in particular, I felt like our investigators had developed a facility with those types of cases. And so, I felt it was beneficial to the process to have the investigators who did the case to issue a recommended finding. And it was going to go further up the chain of command on kind of review. But for the DOJ settlement, IPR would not have ever gotten that ability to do that.

MY: Did you observe how the settlement impacted the Police Bureau, either broadly or Internal Affairs?

CS: I mean, I think similarly to Internal Affairs, like Internal Affairs got the ability to do findings. They didn't used to have that ability, either. It was like the officer's commander who would do the findings. And I think the settlement agreement I thought, and this isn't exactly written down in the settlement agreement, but like it was kind of as applied, and with DOJ kind of coming in and working with both IPR and the Police Bureau. One of the like I think their key insights to our process was like whatever IPR does in an investigation, Internal Affairs should do, and vice versa. It should be a similar process. And previous to the DOJ involvement, it wasn't. I think in some cases because IPR was a new organization and we were filling in, we had certain processes. And then Internal Affairs, because they're over in the Police Bureau and there's a big hierarchy. And it's just, like, to get things changed.

So, let's say the Police Bureau directed that covers in administrative investigations, versus IPR's policies on how we would do our administrative. Like pre-DOJ agreement, they're pretty different. There's obviously a lot of overlap, but there are some key differences. And the settlement agreement really made IPR and Internal Affairs have very similar processes, where their directives and policies were kind of mirrored language of each other.

MY: So, following the settlement, let's say that there's a use of force and IPR is investigating the incident.

CS: Yes.

MY: Can you walk me through what such an investigation entails? They're looking at materials that an officer in question reports that they had filed?

CS: Yeah, so, you know, what we would, particularly let's say in the context of protests, which ended up being kind of a big part of the IPR investigations. So, a community member or bystander or whoever reports some sort of misconduct. IPR, particularly for cases that happened out in the public, and particularly downtown there's a bus station or a MAX station very close by and usually some video. So, try to gather video evidence, either from buildings, from city or county or TriMet, sometimes even contacting, just like going to the areas and doing what we call a canvas of just like kind of talking to the folks in the area of like, did you see anything on this particular day.

Interviewing the complainant. Interviewing any witnesses. Police reports. Any Police Bureau video. Police Bureau doesn't have, they don't have body-worn cameras. At this point, they're probably one of the only agencies of any size that don't have body-worn cameras. But crowd control, in a crowd control context, they will often have video cameras from the Police Bureau perspective. So, make a request for that. Social media videos. So, you know, any, particularly 2020 is after I left, but for a while there, there's a lot of protests from about 2016 on. And over time, there developed like these folks who would be on social media who would post videos on Twitter or kind of more specialized platforms around protests. And so, try to grab those videos while they were still there. Because like a lot of times those videos would disappear. Particularly if it showed something maybe a little bit more nuanced, it wasn't exactly like the, let's say, completely showing officer misconduct. Or when there's situations where there were potential crimes that people ended up videotaping. And so, that was another thing that kind of ended up changing where I think people realized the power of video, where it wasn't like this one-way street where it's just like you're videotaping all of this stuff and there's just a lot going on. And we had to be a lot better on like kind of capture video in the immediate moment. Sometimes like the night of. Because if you waited until a couple of days later, folks who are, let's say, part of the protest community, would pressure other people to not have video shot of them. Because they felt that it would lead to possible arrest or prosecution or whatever. So, there would be that.

I'm trying to think. Yeah, particularly, I think, the bread and butter of investigation is doing the interviews of direct eyewitnesses or participants of the event. So, one of the last things that we would do is interview the involved officers. First it would be the community member, community witnesses. Gather any other kind of evidence, objective evidence, whether it's video or sound recordings. Sometimes pictures. Take pictures of the scene, even after the fact, just to develop a context for it. Interview witness officers. Interview the involved officer.

MY: I would imagine when you're interviewing people from within the bureau, Police Bureau, it's different from interviewing citizens.

CS: Yeah. I mean, it's a little bit more of a, yeah, it's a more scripted event with Bureau members. Because Bureau members, they're city employees. And community members don't have to talk to us, speaking as IPR. Bureau members do. They're employees. And if they don't participate, if they don't actively participate in the interview process or whatever, they could face consequences up to losing their job. So, there's what we call an admonishment that clearly states that. And there's certain protections about that. You can't use those interviews against the officers, let's say, in a criminal process, because those are compelled. It's a violation of the 5th Amendment. Because they are literally forced, at the possible consequence of their jobs, if they don't participate. So, like there's certain consequences to that. And particularly if there's possible criminal nexus of making sure that

if the Police Bureau detectives or an outside agency doing a criminal investigation is interested, that we don't get in the way of that.

MY: I've been thinking as I've been preparing for these IPR interviews how much perhaps public memory is skewed since you keep mentioning 2020, which is after your time. But that seemed like such a pivotal year—

CS: Yes.

MY: —in Portland and elsewhere. And we had protests against the murder of George Floyd, we had the pandemic.

CS: Yes. Yes.

MY: Speak to me about some specific events you remember that there were protests that would have led to a higher number of IPR investigations, if any. I think you mentioned 2016.

CS: Yeah, I mean, so, the election of President Trump. I mean, it's kind of funny, at this point I don't even remember what, like the reason for some of these protests. But there had been a steady ramping up of protests going into 2015. And then 2016 happens and the election of President Trump. And Portland has a history of vigorous 1st Amendment activities, protests, demonstrations. And there are always some folks who are ready to engage in protests that might straddle the line or even cross the line because it's Portland and that's how some folks do. But I feel like 2016 really, the election of President Trump, like that kind of pushed things into a completely different orbit where we had protests up to that point at like, without precedent at least in a kind of modern time period. And there developed some folks who really developed a skillset around organizing demonstrations and protests and were organizing themselves and really felt that they were resisting this government that were targeting communities of color or gender or sexual orientation minorities. And people really felt threatened. And that showed itself in kind of Portland streets.

And we had had Occupy, you know, at the beginning of the decade. But by let's say 2014, 2015, that had kind of died out. But I feel like when we had the murder on the MAX trains, that really kind of pushed things into a certain direction. Obviously the 2016 election. You know, it got to the point where if there was something that happened somewhere, anywhere in this country that involved a police officer using disproportionate force or kind of like a Michael Brown situation, Breonna Taylor, you know, it was just like anywhere, it would show itself in Portland pretty immediately, within a day or so.

And so, IPR ended up having a lot. Because protests used to be relatively kind of well-defined. Like we'll have a protest May Day and there might be some use of force by police that we might have to investigate. But it got to a point where we had ongoing protests on different issues. And we had a pretty significant protest on August 4, 2018. I remember that one. And again, like at this point, I don't even remember what was the organizing principle around that particular protest, but it ended up being a really significant protest.

The other thing was kind of the introduction of kind of Proud Boy, alt-right folks who were kind of like an irritant to kind of traditional Portland protest community, where like they would come from across the river, and like almost like kind of trolling the folks who traditionally hold protests. So, for a while, it wasn't even really about the city or even the federal government. It was just like these two opposing camps that would choose downtown as their kind of battlefield. And the city really struggled how to deal with that. And the Police Bureau ended up being in kind of the

middle of it, like the focus. And so, as a consequence, IPR would end up doing a lot of these investigations. And sometimes the police would engage in behavior that community members didn't like. So, we started doing investigations. And then IPR, we would do these things called policy reviews. It's kind of a broader look. And so, we did a policy review on a protest where the Police Bureau ended up surrounding a couple hundred people. The Police Bureau would call it, like, a containment. The protest community would call it, like, a kettle, where they just basically surrounded folks and wouldn't let them leave. And so, they had identified everybody and taken their pictures. So, we would do reports like that.

So, we really developed a pretty good, we became pretty sophisticated at protests. Understood from a Police Bureau perspective, we would attend their trainings of the crowd control unit. We had some contact with the folks who would engage in protests. But they were less, you know, based on kind of their point of view of the world, they were not super trusting of government. So, it's like, no. Like, "Hey, we're IPR we're here to help." It was like, "Uh, no." So, it was really interesting of just kind of that particular time period.

Again, like 2020, I was gone by 2020. But what happened in 2020 was years in the making. Where it was just like several kind of, it was just like a confluence of several things kind of coming to a head in 2020. And there's like, I think just from a government perspective, I think there are certain things that hadn't really been adequately addressed from the public's standpoint. And obviously some pretty big systemic failures where I think members of the public can see that somebody's murdered. And it doesn't really matter where. And the government response from, I think, a public standpoint is pretty lacking. And it kind of showed, again, like showed itself in Portland pretty immediately. And I think we're still digging out from it.

MY: Yeah. When you mentioned the extremes, I think, the Proud Boys and the Antifa, and thinking of those as community in a sense and also, building with the Black community or the Latinx community, how did IPR work to... I don't know if building trust is the right term, but when you're doing investigations, you need to have some trust, I would imagine, to get some of these community members to respond to these investigations, or to respond to your community outreach.

CS: Yeah, I mean, it's kind of different, So, I would say members of—you know, I think we became a little bit more nuanced or like, I don't know. Like so, like if you were part of a disenfranchised community, a really nice person that's from a small city agency spending an hour or two hours with your organization is not going to undo the last several hundred years of your people's history. And I think by the time I left IPR, I became much more cognizant of that. I'm obviously a person of color. I'm a first-generation American. So, there's some part of me that always kind of knew that. And I think a lot of folks in IPR really have unique backgrounds. One of the things I was always proud of, IPR was pretty diverse. Just professionally, I was a criminal defense attorney. I was the first criminal defense attorney that was an IPR director. I was the first Black person, first immigrant. You know, that said, I'm working for the City of Portland. I'm literally part of the government. And one, and this kind of sounds a little negative, but at minimum, one of the things when we tried to do our outreach was that, or in our engagement with communities of color or even, however you would define a minority, of at least not making things worse for that particular community, and not re-traumatizing folks and re-triggering them.

And one of the things that Mary-Beth did really well was do a lot of diversity training and cultural competency training. Way ahead of the city's training. Literally years ahead. And we really needed it; taught things that, like, I think are relatively commonplace now of just understanding concepts of privilege. And again, if someone like myself, I'm a person of color, I'm a first-generation

American, that I also have some privilege. I'm a lawyer. I had the opportunity to go to a really good law school. And I work for the government. And how people can present that. I'm a male.

And working with communities of color, of just trying to meet people where they're at, I felt like we were pretty successful with a lot of, particularly the immigrant community. Because like, and also, understanding that there are a lot of different communities within Portland. And so, let's say in the broader African American community, there are, let's say, kind of first-generation African immigrants in Portland whose experience in what they want out of government and the police or IPR is different than let's say an African American community where let's say you're third or fourth generation living in Portland. And your family originally came to Portland post-World War II. You know, really different experience in what they see and their kind of collective trauma is a little bit different.

And so, I think we were able to do a pretty decent job, I think like the protests. Particularly when IPR was acting as an investigator. One of the things that, when you're an investigator, you're being objective. And you're not taking anybody's side. And I remember like kind of reading some of the reports, or even like reading transcripts from some of the interviews that IPR would do. And you could read within the lines that like some of the protest folks would want us to take their side. It's like hey, what we're protesting about is this really righteous cause. And we feel the police engaged in misbehavior or misconduct. And we want you, like, while the investigator is asking them a question, they want the investigator to really buy into their particular perspective. And you know, I don't know, at least in my time, I never really solved that particular—like how do you conduct an impartial, objective investigation, and not antagonize or kind of create distance from somebody you're trying to do an interview with when they feel that you're like, you literally are kind of separating yourself from their particular event that was traumatizing to them.

And I think that was kind of one of the issues with IPR, particularly as IPR developed an investigative capacity and of how are you part of the community but at the same time doing that kind of impartial objective work that is really important, and kind of the reason why IPR is there.

MY: During your tenure as director, IPR had its largest staff size, didn't it?

CS: Yeah, we, I mean, it got to the point where probably Council got tired of seeing me asking for additional staff and/or code changes. But you know, one of the things about IPR is even within like the city code, the original 2001–2002 version of it, there were all these different expectations for what IPR was supposed to be built within that city code. One of the things that I saw, particularly after a year or so, as director, was just like, you know, we needed to prioritize. But even on the investigative end, for us to do investigations and do complaints, we needed to build our staff. And so, and also, another pressure from the DOJ was we needed to do timely investigations. And there's no way you can do timely investigations into protests where there's always video, multiple videos from all these different angles, and you've got to interview officers, which always takes a little bit of time, and still conduct those initial intake interviews and do those complaints. Because like I thought IPR did a really good job of bringing in complaints and talking to people. And we would have people really come to us. I mean, I remember we would have a lot of folks who were homeless who would come to IPR. And they would want to file complaints about different issues. And they would feel really comfortable with our investigators and they would bring other issues that weren't related to the Police Bureau to our office. And really, particularly kind of in what's happened since the pandemic around homelessness and kind of lack of services and everything, where it's just like we really developed a really good skillset around just being able to treat people as people and humanizing them and treating folks with respect. And I wanted to make sure that we didn't lose what we did well in trying to meet the public's expectations in what was in city code.

MY: Were you responsible for hiring new staff to IPR?

CS: Yeah. I mean, ultimately, I was. And I always try to work as kind of a team. I felt like one of the things that was really nice and part of my leadership style is trying to work together in groups to try to make decisions about IPR's direction in the future. And particularly hiring. I always wanted to have kind of an integrated hiring panel. So, somebody from kind of IPR management, an investigator, and somebody from our admin staff. Because like, you know, I think at our biggest we were maybe sixteen people or whatever. It's like one person really can throw off the dynamic in a group that size. So, it really, it should be a collective decision.

MY: It sounds, though, particularly with these investigators who need to have knowledge of criminal justice, almost a therapy or counseling background for the human component of dealing with so many different folks.

CS: Yeah. Right.

MY: The skills of a historian in the investigative, or a journalist... Where would people come from? What would be their career backgrounds?

CS: Most of our investigators had done some prior investigative work. There were folks who had done previous criminal defense investigation. There were people who'd done investigations for DHS previously. A few folks with kind of a military background. One from the Police Bureau. And yeah, it was kind of somebody who'd done like Title VII investigations for a university. So, it was kind of a mix of people. And I think our work was unique enough that you could come from a couple of different perspectives and be successful. But really, you kind of have to know how to engage with people and talk to people like they're humans. You know, for sure, don't make things worse. The reason the person is coming to you, to us, is they've had a bad contact with somebody in a position of authority. And even though we're all, I think it took us a while to realize like hey, we're in a position of authority when we're talking to these folks. We're not police officers, we don't wear guns and badges, but we work for the City. We work literally in City Hall, which can be really imposing and intimidating to people. We all, you know, I think almost all of us are native English speakers and we all have college degrees. So, we're these people who have a relative amount of significant privilege. And I think it's important to have a decent amount of humility in doing the work. And really try to, you know, we're really trying to help people, and trying to make the city better and the Police Bureau better. So, I think those were the folks that I tried to hire. Because the investigator jobs, I think they're really good jobs. There are people that I hired that are still working for the City, despite how hard the job is. Because it is rewarding and all of that. But I had some investigators that didn't work out. And like the folks who didn't work out a lot of times really didn't know how to treat people well. With either the coworkers or members of the community, which is, from my standpoint, unacceptable.

MY: And you mentioned that, so, you're located in City Hall and people could just walk into the office to file a complaint?

CS: Yeah, pretty much. Yeah, we could have our walk-ins. Yeah. Yeah. So, that's the other thing. Like the barrier of entry compared to going to the Police Bureau. Much less. There wasn't like all the kind of security apparatus and people, particularly, it's a little different now. But for a period there,

you could literally just walk into City Hall and there would be nobody to stop you. And so, you could just walk into our office and file a complaint. And I think that was awesome. I think over time, because of just, I don't know, changing times, bad incidents, you know, the barrier of entry got a little bit where it's just like created kind of an initial, like kind of a security wall before people could actually enter the IPR offices. But this is kind of after I left and before, like after it was all completed, but you know, I really like the fact that we, you know, it's just like when you want to talk about transparency in government where it's like, you know, where IPR's offices are, they're on the first floor of City Hall on that north-facing side, the northeast corner of City Hall. And it's literally like a fishbowl, because it sticks out a little bit from kind of the main body of City Hall. And yeah, I mean, to me, that's transparency in action. And you know, I think a lot of the successes and struggles of IPR have been in like kind of the dichotomy between our aspirations as a city of wanting to be this really transparent place but at the same time recognizing that as a society we're not there yet.

MY: Why did you decide to step down as IPR director?

CS: Oh, I'd been at IPR at that point eleven years. Close to eleven years. And on, I thought like it's a huge privilege being IPR director. It's not meant to be like kind of a lifetime gig. I felt like the things that I had to contribute, I had already contributed. And it was, you know, it's a hard job. And one of the things I really like about government work is ideally being proactive. And there were a lot of opportunities to be proactive in IPR. But I felt like over time, we were really reacting to things. Like we have to do this investigation, so we're reacting to that. Settlement agreement, which kept, hasn't gone away even now. So, we're acting through that. I think it was pretty clear public expectations for IPR were changing. They were increasing significantly, but IPR's ability to effectuate change were limited. Because by the time I left, we had done pretty much everything that we could from hey, we're this small agency under the Auditor's Office. We're going to go to City Council to go change city code to make us more effective. There weren't, there's probably a thing or two that we could have done more. But when you look at the new oversight accountability model, there is not any of that that we could have done through just City Council. Some of it is in direct contradiction with the City's agreement with the Portland Police Association. Some of it would, upends, basically, the settlement agreement with the Department of Justice, and we would have needed to negotiate that with the DOJ before even going to City Hall.

And the opportunity to work for Governor Brown was just like, she's just somebody I really immensely respected before even really knowing her or working for her. And it's just like, particularly, one of the things that, I'm someone who really tries to work together with people. And when you're an investigative agency, and IPR became really much more an investigative focus, and you're oversight of the Police Bureau. And it's just like IPR and the Police Bureau, and it's just like, I don't know. Over time it just was not something that I felt was tenable for me.

And this opportunity kind of came really literally out of nowhere. And I just had this huge privilege of being able to work with Governor Brown, who's just an amazing individual, a huge, I think, leader. And I think she did so many things to benefit our state and literally save thousands of lives during the pandemic. So, it's just this huge honor I got an opportunity to be a part of. So, it was kind of one of these things like this immigrant kid who gets to work for the governor of the state that I really love. It was just like one of those things where it's just like as kind of a government nerd, it's not something you're going to be able to say no to.

MY: I would totally fan girl if I could work with Kate Brown. That would be amazing.

CS: Yeah.

MY: Well, you segued into my next question, which is things changed again in 2020 when there was a... Voters passed the ballot that set up what we have now with the Police Accountability Commission.

CS: Yes. Yes.

MY: So, any opinion on this new system? You'd already mentioned it contradicts, it seems, aspects of the union's agreement and the DOJ settlement?

CS: Yeah. I mean, I think it has the potential to be a really great model for the city. At the same time, when you look at cities that have tried to do something like that, whether it's San Francisco or Oakland, it has taken them years. I think San Francisco passed like a pretty significant change to their accountability model back in the early '80s. It took them about twenty years to kind of land it. Oakland did something more recently, about ten or so years ago. And it took them about five to be able to get through all the union issues and to be able to kind of build something that they could actually operationalize.

You know, I remember, obviously I've been doing this stuff for a long time, I remember reading when I got the voter's pamphlet, I remember reading it and like just from my perspective, I was like oh, there's a lot here. And if you're a member of the public, it's really hard to be able to weigh all of this stuff and understand. Even if you're in the media, it's really hard to understand all of this stuff. Because it's not really clearly apparent, like all the consequences to this. So, I was kind of disappointed about that. Just like there really wasn't a significant conversation of what this actually means. But like I think the ultimate point of like if there's going to be investigation of any significant misconduct by an officer, or alleged misconduct, whether it should be kind of civilian-directed or directed by the Police Bureau, it's like from my perspective, I always thought that should be something centered on civilians. And, to the extent possible, lean on transparency. So, I think there's just a lot of potential. But it is, it's just really hard. So, that passed in November of—

MY: 2020.

CS: 2020. So, two years and a few months. And you know, I understand that there's an advisory committee that's been stood up. But I'm not sure of like when it would actually be able to take effect. And so, like I feel like just given, just being realistic of how long it takes our city to kind of do things, it's just going to be a while. And the thing that I'm afraid of is people will be discouraged. Because people remember voting for things, right? And it's like oh, where's this thing? It's like oh, well, it's in the middle of process. And because like I think there was like 2020, even though it was really tough on us as a community, I think particularly that piece of the ballot, I think voters felt that they were making progress and they were actually like, not literally, but kind of pulling the lever on making their city better. And I'm not part of like the Auditor's Office anymore. But I know it has been difficult for IPR to hire people. We've—we, I haven't worked there for four years, I'm still saying "we"—but IPR, they've lost staff that they haven't been able to really replace. And so, I feel like just as a member of the community, I really would have hoped that there would be a better handoff between the system that exists and the system to come. Because I think the system to come could be amazing. It's going to require a lot of public involvement and input as well as the Police Bureau. Because ultimately the Police Bureau employs these officers, so they have to be part of the conversation. And I think one of the things that was a little, particularly in the 2020 context, you

can't do police oversight and police misconduct investigations and not include the agency that employs the officers. It just really doesn't, well, I mean, it can work. It's just that you have to understand what system you're going to get. You're going to get a very adversarial system where in some systems where it's literally, it's investigation from like the beginning of it, and there's attorneys for both sides. And it ends up being like a three, four, five-year process to kind of get anything kind of ultimately done. And I think with our new model, I think we've kind of gone to that really adversarial process. When you get a sustained finding, I think there is some finality to that. But when you're really in an adversarial model, there creates opportunities for it to be a much longer process. And I think one of the things that I think discourages a member of the public is when they, just like all the procedural stuff people really just don't understand because they have other things that they're doing with their lives. And I think accountability is best when you can do it as quick as possible. Not that the current system does that very well. But that would be one of the things I would hope the next system improves upon.

MY: So, I have three, like, 10,000-foot view questions for you.

CS: Okay.

MY: First being, given the time, the effort and funding that the city has invested in police accountability over the years, is Portland better off?

CS: Oh, absolutely. I mean, yeah. I mean, Portland, I would say particularly in the pre-2020 context had a pretty strong investigative accountability model that IPR was able to do proactive kind of like policy type work, was able to do investigations and was able to do kind of that community outreach, community complaint intake piece. I think because there's just been some uncertainty post-2020, I don't think the system's where it was pre-2020. But really nothing is. But, yeah. I mean, it's, I mean, you know, IPR was able to do a full-fledged investigation into a chief of police in a reasonable amount of time when the allegation was that he had shot his friend and he had, you know, hidden it. And there may have been assistant chiefs involved. IPR was able to do that investigation because of all the work that we've been doing in the years previous to that. And we're able to do a very credible investigation and give those findings to the mayor in a relatively reasonable point of time. And we were able to pass that investigation along to the state Department of Public Safety Standards and Training, which has jurisdiction over police officers' certification. And they relied on that IPR investigation for their review of the chief's certification. So, yeah. That's a case I'm particularly proud of.

MY: How has the city served the community regarding police accountability, and how has it not?

CS: I mean, I think what the city has done well is creating an oversight function that it has supported by providing additional resources, additional authority. I think, you know, even the 2020 ballot measure on the new accountability model. The fact that Commissioner Hardesty was able to put that in front of voters, I think that goes to the city's credit.

I think one of the things that the city has not done a good job of historically is really try to explain to members of the public with accountability their choices in the different models that you decide to go down. And there has been this expectation that IPR is going to do everything at the same time. We're going to be this great intake place. We're going to be able to do really robust investigations in, well, it won't be IPR, but oversight will be doing in-custody and officer-involved shootings. And potentially, also, kind of do policy work, which is within the IPR's current city code.

And when you look around the country, there's no oversight system that does all of those things really well. And most cities make a choice. You know, are you really interested in doing the investigative piece, understanding that's going to be pretty adversarial? And you give the policy stuff, and the kind of more long-term, longitudinal stuff to other entities. And I think Portland hasn't, like from a kind of government perspective, has not really assimilated the idea of just like this is really hard to do well any of those pieces. And to give an office that at its biggest that had sixteen people that responsibility is just really well-nigh impossible. So, going into the future, for the next oversight model to be successful, there really would need to be significantly more staff involved in that work than what exists right now.

MY: And you've basically answered my final question, which was, but maybe you can elaborate, what can the city do better regarding police accountability and citizen oversight?

CS: You know, I think one of the things that the city could do better is oversight really is an evolving concept. Like I think our idea of what oversight means now is different than what it was May 1, 2020. It's just like, we have experienced so much between the murder of Mr. Floyd, the pandemic, our expectations for what officers are going to do, our expectations for what government's going to do to hold officers accountable. And so, it's a continuing conversation. It felt sometimes when I worked at the city that it was like oh, you guys just passed a code change a year ago or six months ago. It was like well, yes, but, it's kind of that yes and concept, which I think is incredibly important for oversight. Where it is you really need to keep up with the public, and you need to have that open dialog with the public about one, what do you want your police to be doing? And then how do you want to hold them accountable? And how do you actually want that to be operationalized? At least on a kind of high level. Because I feel like the city has had relative success when it has had some entity within the city having that open conversation. When either folks are distracted or we're just not having that conversation, I think we set ourselves up for failure.

MY: Are there any questions you wish I had asked?

CS: No. These are really good. They're really good questions. It's kind of made me think about things I haven't thought about in a long time. No, these are really good questions.