



CITY OF  
**PORTLAND, OREGON**

OFFICIAL  
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF SEPTEMBER, 2003** AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Harry Auerbach, Senior Deputy City Attorney; and Officer Michael Frome, Sergeant at Arms.

On a Y-4 roll call, the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>	<b>Disposition:</b>
<b>1020</b> Request of Jon Putman to address Council regarding diversity (Communication)	<b>PLACED ON FILE</b>
<b>1021</b> Request of Daren Martin to address Council regarding Tow Board denial of Crown Point Towing application (Communication)	<b>PLACED ON FILE</b>
<b>1022</b> Request of Keith Vann to address Council regarding police accountability (Communication)	<b>PLACED ON FILE</b>
<b>1023</b> Request of Charles E. Long to address Council regarding criminal justice reform and Portland police (Communication)	<b>RESCHEDULED TO SEPTEMBER 10, 2003 AT 9:30 AM</b>
<b>TIME CERTAINS</b>	
<b>*1024 TIME CERTAIN: 9:30 AM</b> – Approve funding recommendations for early childhood and respite programs made by Children’s Investment Fund Allocation Committee (Ordinance introduced by Commissioner Saltzman)  (Y-4)	<b>177851</b>

**\*1025 TIME CERTAIN: 10:00 AM** – Merge the Bureaus of Information Technology and Communications and Networking and establish the Bureau of Technology Services (Ordinance introduced by Mayor Katz; amend City Code Sections 3.15.060, 5.04.190, 5.04.500 and repeal Code Section 3.15.100)

(Y-4)

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<b>CONSENT AGENDA – NO DISCUSSION</b>	
<b>Mayor Vera Katz</b>	
<p><b>1026</b> Appoint Jim McConnell to the Housing and Community Development Commission term to expire June 30, 2005 (Report) (Y-4)</p>	<b>CONFIRMED</b>
<p><b>*1027</b> Authorize charitable organizations eligible to participate in the City 2003 Combined Charitable Campaign (Ordinance) (Y-4)</p>	<b>177835</b>
<p><b>*1028</b> Extend legal Service Agreement with Greene &amp; Markley, PC, for outside counsel (Ordinance; amend Contract No. 34772) (Y-4)</p>	<b>177836</b>
<p><b>*1029</b> Authorize the Police Bureau to appoint Anthony Vincent Passadore to the classification of Police Officer at the 4-year salary rate (Ordinance) (Y-4)</p>	<b>177837</b>
<p><b>*1030</b> Amend an Intergovernmental Agreement between Multnomah County and the City for the Police Bureau to provide three officers to work for the District Attorney Office (Ordinance; amend Contract No. 51544) (Y-4)</p>	<b>177838</b>
<p><b>*1031</b> Amend agreement between Booth Research Group and the Police to extend the term of the agreement and increase compensation (Ordinance; amend Contract No. 34367) (Y-4)</p>	<b>177839</b>
<p><b>1032</b> Change relationship of the City with Corinto, Nicaragua from Sister City to Friendship City (Second Reading Agenda 980) (Y-4)</p>	<b>177840</b>
<b>Commissioner Jim Francesconi</b>	
<p><b>*1033</b> Authorize acceptance of donation of 25,000 square feet and purchase of 15,000 square feet of North Park Square in the River District from Hoyt Street Properties, LLC for park purposes (Ordinance) (Y-4)</p>	<b>177841</b>
<p><b>*1034</b> Accept a grant from the U.S. Fish and Wildlife Service and Metro Parks and Greenspaces in the amount of \$10,000 for Powell Butte Wildlife Habitat Improvement, Conservation, and Revegetation Project (Ordinance) (Y-4)</p>	<b>177842</b>

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<p><b>*1035</b> Grant revocable permit to Kingston Bar &amp; Grill / Portland State University to close SW Morrison Street between 20th Avenue and 20th Place and SW 20th Place between Morrison and Yamhill Street on 9/13, 9/20, 10/18, 11/8 and 11/15, 2003 (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>177843</b></p>
<p align="center"><b>Commissioner Randy Leonard</b></p>	
<p><b>*1036</b> Authorize the Director of the Bureau of Development Services to appoint Steve Krieg at the top step for Plans Examiner, Commercial salary scale (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>177844</b></p>
<p align="center"><b>Commissioner Dan Saltzman</b></p>	
<p><b>*1037</b> Accept a grant from the U.S. Environmental Protection Agency, via the Lower Columbia River Estuary Partnership, in the amount of \$70,000 for revegetation services at Smith &amp; Bybee Lakes Wildlife Area (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>177845</b></p>
<p><b>*1038</b> Pay claim of Barry Emard and amend contract with Duke's Sales &amp; Service, Inc. for root control services (Ordinance; amend Contract No. 40386)</p> <p>(Y-4)</p>	<p align="center"><b>177846</b></p>
<p><b>*1039</b> Authorize Joint Funding Agreement with the U.S. Geological Survey, United States Department of the Interior for the operation of continuous flow monitoring/gaging stations on Fanno Creek, Tryon Creek and the Columbia Slough in Portland (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>177847</b></p>
<p><b>*1040</b> Accept a grant from the United States Fish and Wildlife Service Greenspaces Program in the amount of \$30,000 for revegetation services along the Oaks Bottom Bluffs (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>177848</b></p>
<p align="center"><b>Commissioner Erik Sten</b></p>	
<p><b>*1041</b> Authorize subrecipient agreement with the Oregon Bureau of Labor and Industry for \$20,184 for the Civil Rights Enforcement Services Program and provide for payment (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>177849</b></p>
<p><b>*1042</b> Authorize an Intergovernmental Agreement with the Housing Authority of Portland and Portland Development Commission for \$60,000 to support a Housing Policy Manager, receive funds, and create a new position (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>177850</b></p>

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<p style="text-align: center;"><b>REGULAR AGENDA</b></p> <p style="text-align: center;"><b>Mayor Vera Katz</b></p> <p><b>*1043</b> Accept a \$249,992 grant from the U.S. Department of Justice, Bureau of Justice Programs, Project Safe Neighborhoods (Ordinance) (Y-4)</p>	<p style="text-align: center;"><b>177853</b></p>
<p style="text-align: center;"><b>Commissioner Jim Francesconi</b></p> <p><b>1044</b> Authorize lease agreement with Nextel West Corp. for installation, operation and maintenance of telecommunication facilities at Washington Park (Ordinance)</p> <p><b>Motion to remove the emergency clause:</b> Moved by Commissioner Saltzman and seconded by Commissioner Leonard and gavelled down by Mayor Katz after no objections.</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING AS AMENDED SEPTEMBER 10, 2003 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>Commissioner Dan Saltzman</b></p> <p><b>*1045</b> Authorize an Intergovernmental Agreement for \$35,000 with Metro to administer the Master Recycler Program (Ordinance) (Y-4)</p>	<p style="text-align: center;"><b>177854</b></p>

At 10:45 a.m., Council recessed.

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**WEDNESDAY, 2:00 PM, SEPTEMBER 3, 2003**

**DUE TO LACK OF AN AGENDA  
THERE WAS NO MEETING**

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**September 4, 2003**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4TH DAY OF SEPTEMBER, 2003** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Leonard, Saltzman and Sten, 5.

Commissioner Sten arrived at 2:05 p.m.  
Commissioner Saltzman arrived at 2:14 p.m.

Commissioner Sten was excused and left at 3:37 p.m..

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Deputy City Attorney; and Officer Curtis Chinn, Sergeant at Arms.

<p><b>1046 TIME CERTAIN: 2:00 PM</b> – Accept the 2003 Independent Police Review Division Report on officer-involved shootings and deaths in police custody (Resolution introduced by Auditor Blackmer)</p> <p><b>Motion to accept:</b> Moved by Commissioner Francesconi and seconded by Commissioner Saltzman and gaveled down by Mayor Katz after no objections.</p> <p>(Y-4)</p>	<p><b>Disposition:</b></p> <p><b>36165</b></p>
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At 4:05 p.m., Council adjourned.

GARY BLACKMER  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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

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**Closed Caption Transcript of Portland City Council Meeting**

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

Key: \*\*\*\*\* means unidentified speaker.

**SEPTEMBER 3, 2003      9:30 AM**

**Katz:** Good morning, everybody, the council will come to order. Karla, please call the roll. [ roll call ]

**Katz:** Commissioner Francesconi was gone yesterday, is he excused? Ok. All right. Let's do 1020. **Item 1020.**

**Jon Putman:** Good morning, mayor.

**Katz:** Good morning.

**Putnam:** Council. I handed out my resume, which normally I wouldn't do, because I felt it would at least give you some idea who I am, because you've never seen me before. And maybe give you the reason why I wanted to speak to you today about diversity. When you look up the word "diversity," it's defined as a state of being diverse, or a variety of point of difference. Recently I heard councilman Leonard on a radio talk show talking to a car dealer who was complain about his property tax being \$500,000. That was his corporate property tax. It brought to mind that it's ok I think to console people who pay large sums of money, but you also need to remember that if you don't think diversely about what he's producing to -- as a region, which is a demand capacity that is absolutely outrageous, 13 units of capacity a day is coming out of the car industry, directly to your bottom line, and you have to do something about it. You have to go back and say, why would you talk about diversity? Diversity -- i'm talking about it because when i've spent 10 or 12 years in the energy debate in this region in the 1980's, what we came to a conclusion, we wrote a great plan, we put all that plan into a book, we put it on a shelf and for 20 years we really did nothing. In transportation, I see a very same parallel. And even if the energy shortage was either perceived or real, over a period of time it begins to build, to be something. And if we go into transportation and continue down the road we're going, which is really not doing much about being more diverse in our thinking, we have \$7 million it costs a lane mile. At 13 units, that means the car dealers in this state are putting about 13 miles -- 13 miles of road demand on you. You can say, we're not up to capacity. But that's what they said in the energy debate in the 1980's. Well, we don't need new energy. We didn't need to build anything right then. But we needed to do something. And the concern I have is that having spent four years at metro on tpac, knowing we bonded \$400 million worth of unmet need, of 200 million went into roads, 200 million into bridges, that was just unmet need. Short-term. The cost of need, there was \$1.2 billion, I believe. So when you talk and console a property tax corporate payer, please remind him of the cost to the system. It can't just be transportation demand without transportation demand management. So i'm really here today to say, be a diverse thinker, be a broad thinker. Remember that they are building enormous amount of capacity. I'm sure my three minutes is up.

**Katz:** Thank you.

**Putman:** Thank you.

**Katz:** Thank you very much. All right. 1021.

**Item 1021.**

**Daren Martin:** I am daren martin from crown point towing. Thank you for your time. I had a handout I gave you to maybe look over with me real quick as I go through this. I'm here to request



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to get my towing application -- I turned it in late, and I went to the tow board meeting to ask for an extension, they denied my extension. As I sat through two hours of tow board meeting, I watched many towers get -- have their applications accepted from no signatures, to no business license for the last couple years, some didn't turn in any of the required -- some of the required necessary application to turn in their paperwork, and they all -- they just approved some, I was the only one that was denied because mine was late. I could have turned mine in on time, missing some information, but I know if you look at the paperwork, it says all applications not requiring -- not containing -- applications not containing all required information and fee payment shall be rejected. So I knew -- if you turn in an application that wasn't fully filled out was as good as not turning one in. So I thought I would take my chance and go to the meeting and see if I could maybe get an extension. I've been a really good tower for the city since they've taken over from the county, and basically that's why i'm here today. They denied my application after I got home, after the tow board meeting. I had quite a few calls with people who were in the meeting and were very disappointed that a lot of stuff was accepted and only one was denied. And they kind of helped me through the steps to get here today, so that's why i'm here. The impact for me, as I -- I just noticed this last night, when I got my minutes yesterday from the tow board meeting, this contract has a potential to last for five years instead of two. It says, remember the board gave itself the option of three additional extension years on this contract, so if everything runs smoothly, it could run clear to 2008. Which I just feel i'm really being punished for turning in something late, when almost 22 of the towers, about 80% of the towers failed to submit a fully application. I just wanted to be treated with respect with everybody else that was at the meeting.

**Katz:** Thank you. 1023.

**Item 1023.**

**Moore:** He has to reschedule.

**Katz:** Let's do time certain, 1024.

**Moore:** Did we do 1022?

**Katz:** Did I miss -- oh, sorry. 1022.

**Item 1022.**

**Katz:** Sorry, I skipped over --

**\*\*\*\*\*:** That's all right. Rather than --

**Katz:** Identify yourself.

**Keith Vann:** Keith vann, i'm a homeless resident of Portland. Rather than address police accountability, i'm going to address a broader issue, the issue of city accountability. And I want to start off with just a story of two parents, two sets of parents disciplining a child. For example, let's say the child borrowed the family car without permission. One family disciplines the child out of -- punishes the child out of righteous anger, and the other disciplines the child, disciplining the action, disciplines the child for the action, but continues to express its love for the child. The reason I bring that up, there's been some kind of confusion in our town as to who is the parent and who is the child. The city clearly is the child. We the citizens, entrust the city with basic errands, watering the lawn, i.e. The parks, make sure the alarm is set at night, making sure we have police protection. We empower and authorize the city, and many of us have forgotten that. But I think it's awakening, times are changing and many of us are ready to reprise our roles as parents. The only time the city should make decisions for parents or the child should make decision assist when they're infirm or mentally incapable, and at last look, the citizens of Portland are neither. What are some of the disappointments that the child has wrought? Some of those decisions are, say, decisions that bind or commandeer taxpayer dollars. Decisions made behind closed doors. For example, parking lots in the northwest, or skinny houses in the southeast. Changing laws without submitting them to voter approval. I.e., effectively chaining enforcement guidelines is changing the law. Voters will no say

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in that. Subjecting citizens to false detention and arrest without reprimand, that's occurring all over town. Abridging the constitutional rights of protest and ascent. I think you'll find actions in the next coming months in response to sit-lie are going to -- are related to that. Casting a blind eye toward reported incidents of police brutality, conflicts of interest on awarding contracts. Examples ranging from the Portland family entertainment getting the contract for the ballpark several years ago, to the reservoir cover contract. Perhaps the city hopes that omission and interval will allow the public to forget. But we're going to keep reminding each other. If just a few rain drops fall on the land, it doesn't make a torrent, but bring all the rain drops together in one time, and the impact is disastrous. So what's the discipline? We can discipline in several fronts. The ballot box, the courts, exposure in the press, there's even been talk of people's tribunals. And I can tell you all of the process are in the -- all are in the process of manifesting themselves in the next coming month.

**Katz:** Thank you. Your time is up. Ok. 1024.

**Katz:** 1024.

**Moore:** Do you want to do the consent first? I'm sorry.

**Katz:** Consent. Sorry. Anybody want to take anything off the consent calendar? All right.

\*\*\*\*\*: Commissioner Leonard.

\*\*\*\*\*: I hoped I might be able to speak today. The people today says despite the cancellation I would not be allowed.

**Katz:** I'll explain that in a minute. I need commissioner Leonard. The code gives us the ability to hear from five citizens every Wednesday for three minutes each, but you need to make the request through the city auditor, and let us know what it's about. And Karla, who just left to get commissioner Francesconi, would be more than happy to take that request for next Wednesday.

\*\*\*\*\*: [inaudible]

**Katz:** Ok.

**Katz:** Roll call. Consent agenda.

**Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

**Katz:** Mayor votes aye. [gavel pounded] all right. 1024.

**Item 1024.**

**Katz:** All right. Commissioner Saltzman.

**Saltzman:** Thank you, madam mayor, and members of the council. It seems very fitting although this wasn't planned that way, that as thousands of children return to school today across the city, we are also taking the first step to lay the ground work for investing in many thousands more children to make sure that they will -- young children will arrive at school ready to learn, children in school will stay in school by having access to high-quality after-school activities, and that children that suffer abuse or other forms of witness domestic violence on their families will have chances to deal with those issues and make sure that children can be successful, both in school and before school. Those were the three investment areas that the children's investment -- the children's levy, the initiative which voters passed last November, those were the three investment areas that were chosen to be focused on, and today we're bringing it to you, the first round of investments under the initiative, and that is the first round in early childhood development and also some investments in child abuse prevention and intervention. They total -- we have been at work ever since the measure passed last November. All of us were pretty consumed with school financing issues in the early part of last year, so we didn't hit the ground running as soon as we liked, but we have made up a lot of ground in a short period of time, in thanks large part to Andy Olshin, the director of the children's investment fund, also at the table is Ron Belts, one of the five members of the allocation committee, Ron represents the Portland business alliance, the five-person committee, along with the help of several citizen committees, has worked through a number of thorny questions that have never been dealt with before by anybody in this city, since we've never had anything like a children's initiative.

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A lot of questions had to be answered, and we think we've made the right answers. When we opened the door for applications for investment for early childhood, we received some \$14 million worth of applications, and you may recall the children's investment fund is roughly about \$10 million per year for five years, so clearly we had to make some tough decisions since we weren't intending to allocate the full 10 million to the first round of early childhood only. So the committee has worked, we had a seven-hour session about two weeks ago where the committee, which in addition to Ron Beltz and myself, Lisa Naito, and Dr. David Willis. We labored long and hard and came up with a list of investments that we're recommending council approval on. In your packet you will have a ranking of all the applications that were received, and then you should have a summary sheet in front of you, which actually has the investments that we're recommending today. Karla is going to hand that out. So these investments today that we're recommending your approval, and the county commission approved these investments last week at their meeting, as I said, focus on a lot of early childhood related services, head start, early head start, mental health services, child care, and also some child abuse services. One of the things that we have been grappling with, and we grappled with as recently as yesterday, was administrative expenses associated with each investment. And as you can imagine, each organization that proposed or public agency that proposed has a different administrative expense calculation, and we struggled and still struggle with what expenses, administrative expenses we deem should be appropriate for -- to be covered by children's investment fund dollars. We want to make sure these dollars go as much as toward -- directly towards services, and to remind people those services are to be -- the mission of the children's investment fund is to invest in proven programs in order they can serve more kids. So we've struggled with what's an appropriate level of administrative expense that we should compensate organizations we're investing in. Yesterday we made a decision that we will have administrative expenses, we'll reimburse administrative expenses no more than 10%, and it will actually be a gradation, so depending on the organization's budget, if it's an organization of \$2 million or under, we will reimburse expenses up to 10%. If it's between \$2 million and \$5 million, and -- in its annual budget, we'll reimburse up to 8%, and if it's a budget of \$5 million or greater, we'll reimburse up to 5%. So that's the decision we made. In addition, we've adopted a list of administrative expenses we'll simply disallow that we will factor out of that calculation before we calculate the 5%, 8%, or 10%. Some of those expenses, and we're not saying a lot of these applications had a lot of these things, but some did, things like out of town travel, dues for associations, professional dues for associations, a few things like that we've automatically disallowed, and then we've authorized Andy Olshin, who will be sitting down with each one of the agencies in front of you to actually negotiate the actual contract. We've actually given him another list of expenses which we want him to scrutinize and consider taking some pretty hard-nosed approach to. Some of these issues range from cost of living adjustments, to -- I can't remember all the others, but -- some applications had categories of other expenses, and we don't like things that are labeled just "other expenses." so Andy and Jeff Kogan will be sitting down with each investor, if you approve these investments today, to actually negotiate the contracts. So the amounts that we're awarding today are actually maximum amounts, up to, and it's conceivable we could actually negotiate a contract for somewhat less, especially after all the administrative expense formulas and disallowances are applied. But overall, I think the committee felt after its seven-hour marathon session that we came up with a very good package of the many applications we came up with, we have a package in front of you that equals about \$4.1 million in the first year, and \$4.4 million in the second year. We've always told organizations that the purpose of the children's investment fund is to invest and not to make them jump through paperwork hoops every year, so we are making a minimum of a two-year investment, assuming they all perform. And there will be options to renew for years three, four, and five, although we also reserve the right after year two to simply

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reallocation or reinvest the money in other organizations with proven programs that will serve more children. All in all I feel we have a good package in front of us. I'd like to say in closing that we've worked with the county, we've worked with the children and family commission, we've worked with many citizens who have stepped up to the plate to help us deliberate and help us really shape this unique process that's never been done here in Portland, and we have two more rounds to go for this year. The second round -- we did some child abuse intervention and prevention, this round we're going to do a separate round to finish child abuse prevention-intervention, and we have the after-school programs and mentoring programs round. We hope to have the child abuse prevention round done by money invested by february, and the after-school mentoring programs to be decided by spring and ready to be invested in time for -- certainly in time for summer programs if not sooner. So that really is where we're moving, and I think -- we're certainly learning as we go. We're probably, as I said, there's not a lot of precedence for us to follow, so we're sort of creating our own precedence, and we're also doing evaluation of our work too, to make sure we have good outcomes we can show the public that their money that they entrusted in us to invest in children is going to produce dividends, and that is something that we are very rigorous about as well. So with that i'd like to now turn it over to andy Olshin, and -- i'd turn it over to ron beltz first, and then andy can walk through the details of our process of how we got here, and maybe highlight some of the investments.

**Ron Beltz (last name?):** Just a couple quick comments. We certainly didn't do a per job, but I think we did a good job, and we are learning, some people were discouraged or disappointed with the exercise that's they went through, and didn't get the funding that they totally wanted, or some didn't get at all, but I think we've all learned in the process we are really plowing new ground here. But i'm real comfortable with what we came up with, that we've cut order add -- cut out administrative cost that's I didn't think we should fund. We've really gotten some innovative proposals, in one case getting 100% hatch, and I think that's part of the goal too, to bring proposals in that can leverage it out with other monies coming in. It was a real positive for the committee to work on to actually have new money and put into something so needed as child programs. So with that, i'm happy to answer any questions, but I think we're real comfortable with what we came up with.

\*\*\*\*\*: Just to go --

**Katz:** Identify yourself for the record.

**Andy Olshin, Director, Children's Investment Fund:** Andy Olshin, the director of the children's investment fund. Just to go through the process real quick, in the end of june we had a community gathering, we had 175 representatives from different organizations that are interested or focused on early childhood services, including nonprofits, governmental entities, foundations, advocates, come together and basically give us input as to how to frame the questions about what the committee should invest in. From that point we wrote -- wrote a request for investment document that included proven programs promising practices, as well as criteria for evaluating the strength of organizations and their ability to actually do the work that we invested the money for. We put together two committees, one is a -- we'll change the name of these committees as we move forward, because they're a little confusing. The program evaluation committee evaluated the criteria about proven programs and promising practices. That committee was put together in conjunction with dr. David willis and dr. Samuel henry from psu. The members of that committee are all experienced and -- academics or practitioners, including barbara freeson, with the Portland state university, ken rosenberg with maternal health epidemiology at Oregon department of human services, mark eddie, the codirector of the Oregon social learning center at the university of Oregon, mark healthan, the director of evidence-based research at ohsu, leslie munson, with the department of special education and counseling education at Portland state university. The second committee

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that evaluated proposals, the second committee were a diverse group from the foundations from nonprofits and from government, including aminah anderson, thomas ashyenburner, kay hutchinson with reach community development, andrea johnson, who is now with key bank and is a former head start parent assistant and has four boys that have gone through -- two have gone through the head start system and she makes too much money to qualify for head start now, so is using in-home child care, which is another thing that we looked at as part of our funding. Lynn knox with the bureau of housing community development, joe mcferren, the new leader at the Portland stunts industrialization center in northeast Portland, victor merced, kathleen treb, who actually has been a program manager at meyer and is now I think an assistant director at Multnomah county department of community justice. Marney vallejos, and andrew weederhorn. That group looked at the ability of an organization to basically perform under the contract. After we put together the committees and put out the request for investment, we got 47 proposals that came in. They were a very wide variety of asks as far as the amount of money that folks asked for. Anywhere from 30,000 to \$1.4 million. Which was very widespread. The committee decided after meeting that they wanted to put a cap of \$500,000 on grant awards. We met during a seven-hour marathon session and prioritized the different awards that have now resulted in what you've got in front of you. Basically if you look at the broad brush, we provided -- we will be funding services in north-northeast, south, southeast, southwest, northwest Portland, we will provide -- there's actually a focused amount of services to the latino community, children and families, which is something new. There's also focuses in different areas which we've broken down on the sheet in front of you, head start, early head start had really gotten a push, especially early head start, which is something that we are not doing enough of as a community that has been identified both by the county commission as well as the Multnomah county commission on children and families. Mental health services, which will actually spread across the other contractors, as well as the healthy start project, that will be specifically for latino families that is a team of family support team of workers that will go in all areas of the city. And the other specialty services are also going to be focused by albertina kerr, a partnership between that nonprofit and the Portland public school district, where they're using existing facility, the school district is paying for the teachers' salary, they'll be providing the support services so we partnered with Portland public schools, Portland community college to provide child care for students and their children, especially while they're going to school at night, which is a really great partnership. We also provided reading, family-based reading sevens for the housing authority. One of their facilities which is a partnership with americorp also. So that highlights a couple that we did also, and i'd be happy to answer any questions.

**Leonard:** I have a question. I noticed that five of the grantees, it shows there are neither -- either no children served or no families to be served. Christie school, cascades project, Portland -- i'm sure there's a good reason for that.

**Olshin:** I placed a little note at the top of that sheet. We are -- before we finalize the numbers, we need to negotiate some of the contracts, and some of the contractors will receive significantly less than they asked for, and i'd like to be right, so since I didn't know what the numbers were, I didn't even have a good estimate until I sit down and negotiate with them, I determined it was more conservative to put a zero in there than to make a guess than that I didn't even feel was an educated guess.

**Leonard:** But there will be some number, ultimately?

**Olshin:** Oh, yes.

**Leonard:** Thanks.

**Katz:** Let's open it up for public testimony. Thank you. Thank you for your work.

**Moore:** I didn't have anybody sign up.

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**Katz:** Nobody signed up? Andy, come on back, ron, come on back. An interesting question, I remember we had conversations, many, many years ago about if the city had resources we'd put resources into head start. And then the discussion was, do you do it and do you expand head start for children ready to go to school, or do you do the early -- earlier head start. And there was quite a healthy debate about that. Did you have that kind of discussion among your panels else? Or not?

**Beltz:** I don't know that we distinctively had that specific discussion, but this is for preschool. So this is early head start.

**Katz:** Right.

**Beltz:** Our next round for before and after school may fall into that portion of head start for school age. I don't know yet whether or not we'll be looking at programs during school. I guess the first thing I would say is, I still think that's probably a school district's responsibility during school hours. But there will probably be elements of early head start in before and after school programs.

**Katz:** Because I remember that was a question I think I asked of elementary principals, and they urged us to focus on head start for youngsters getting ready for school with limited resources to make that choice first. And expand the number of children for those programs as opposed to going into the early category. So I don't know if that was a discussion, but they felt very strongly about that.

**Saltzman:** We never had that discussion per se about early head start versus head standard. We did allocate -- we did invest in both, and it's -- I guess i'd like to find out more what the thinking was at that time. One thing we both know, we all know is that the need is much greater than we could possibly provide. Right now there's probably -- head start serves probably 60% of the eligible children in the city. Early head start is far, far lower, 5% of the eligible children. So we're adding to that capacity today if we approve these investments, but we still have a long ways to go.

**Olshin:** It's a natural for the school district to be more concerned with head start or for that matter the Oregon pre-kindergarten programs, because the transition is something they can participate in, the early head start kids are a lot younger. The evidence-based research actually shows that the early head start is if not more important, just as important, because you're getting them as early as possible, and the more research that comes in, the earlier you can intervene when there's a problem, the more likely you have, more higher the probability is to prevent some issues later on down the line. But that also, you know, logically connects to, you want there to be a continuum as you move forward.

**Katz:** Right.

**Olshin:** So if we look at this from kind of the 50,000-foot level and you see we have a certain amount of head start and we have much lower percentage of early head start, if we want it to flow, we probably need to increase the capacity throughout the continuum to level it out. So that we can help kids kind of transition into school and don't, you know -- because maybe, you know, two years of early head start and then nothing else until they hit kindergarten, we don't know whether -- what the impact will be, but just logic says if there's early head start, then head start, then kindergarten, there's a higher probability --

**Katz:** It was a simple question to raise, but the responses were, with limited dollars. You're absolutely right, you ought to have an early stage, a continuum into the head start into kindergarten, so that may be for the next round, that kind of discussion. With your academic folks that would be interesting. All right. Roll call. Thank you.

**Leonard:** I've always had great confidence in this initiative since dan started spearheading it. But particularly after I heard ron was going to be on the committee, knowing ron like I do, there's no doubt we're going to get the most bang for our buck. And this allocation proves that. And I was very hurt to hear and read all in "the Oregonian" about how you guys have really focused on the

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administrative costs, and not surprised, i'm really heartened about that. So this is excellent program and a model for others. Aye.

**Saltzman:** I just want to thank the allocation committee, the -- andy, jeff, other staff in my office who have helped to get this process up and running relatively quickly so we're prepared now with this action today to actually have dollars in the hands of these organizations october 1. It took a lot of effort, but probably thanks go most of all to the voters in Portland who had the confidence to say, this is an investment in children that we need to make. And it was not an easy time, the economy was tough, still is tough, but I think they saw the merits of programs, investing in those programs that we know work, and let's expand the capacity so they can serve more children. And that's exactly what we're laboring hard to do, and to stay true to, and we'll continue to do that. Aye.

**Sten:** I really want to thank commissioner Saltzman as well as all the folks who have been working on this, and all the providers in the community. I think it was pretty incredible how difficult your decisions had to be, because despite this -- this very generous decision by the voters, there was all kinds of programs that ought to be working at bigger capacity that couldn't be funded. So I think we have a lot of people out there working very, very hard. It's a testament to those programs that the voters were willing to do this. It's never easy to get people to vote to pay more money, but it's a tough time now, it's all been said, and to some extent people say it's remarkable that Portlanders would invest in kids in a tough time, and I think it's not that remarkable. It's remarkable that dan and his team were able to do all the work to raise the money to get the message out there, and it was a heck of a bold move, and I think it showed vision and passion for the future of Portland, but once the message got out there, I wasn't that surprised, because if there was ever a time to make sure our kids didn't slip through the cracks, it's right now, when other things are in trouble. And I think Portlanders got that, and it was -- it's a great opportunity. It's actually -- people say I want to give away money, it's actually very difficult when you have lots of goods. So I appreciate the work of you and the committee and the other groups that helped work with andy to make these good decisions, and I have absolutely no doubt that the groups out in the community will spend this money well, and make the case to keep doing this kind of critical work. So commissioner Saltzman, thank you. This is your day, and thanks to you it's the children's day. Aye.

**Katz:** Commissioner Saltzman, you deserve an a-plus for this. I really appreciate it. This started a little tenuous here on the council at the time, just because of the economy and other issues that the council wanted to address. But you were tenacious, and you made a commitment to the children of this community, and you kept it, and appointed an interesting group of citizens to review the allocations and the formula, and you've done a good job, and I thank you. Congratulations. Aye. [gavel pounded] all right. 1025.

**Item 1025.**

**Tim Grewe, Chief Administrative Officer:** Good morning. Tim grewe, chief administrative officer for the city of Portland. We'll be brief in our presentation today. I am very happy to be before you today with this action, because it is one of the significant recommendations that came out of your administrative services process. That recommendation was to merge the bureau of information technology and the bureau of communications, and that -- and networking within the city and within the office of management and finance. This is somewhat of a technical action, and the reason for that is, you've given prior direction on this that this merger should occur. It's reflected in the budget, you approved that this year. I can tell you that the merger is well underway, as you consider this action. And we've hired our chief technology officer, matt lamp, who's sitting next to me today and will address council briefly as well. We did learn through the process a couple of things about where the city stood in terms of technology. It was very clear that when we compared ourselves to other large municipal governmental organizations, that we were lagging behind those organizations both in our approach and the types of practices we had in the city in

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regards to technology. We also learned that cities that had made a commitment to improve their coordination on an organizationwide basis were better positioned to take advantage of technological -- technology innovations and that they were in fact more effective and efficient in their provision of technology services within the organization. As a result of those findings, we've been working over the past three years to improve coordination in this area. We've merged many of the employees into a single organization under single leadership. Our bureau-specific technology needs, those staff remain at least for the time being within the organizations. We've done strategic planning on a citywide basis, and as I think matt will inform you, we've made great progress not just over the three years, but since matt's been here in implementing enterprisewide approaches to our technology -- technological needs within the city. I have been very impressed in working with our technology staff, both within o.f.m. And throughout the city. You have an impressive group of people. I am very optimistic they're going to continue to work hard in using technology to further create efficiencies in the administrative services area. Some of those technological improvements will require investments, but I believe you will find as we bring those investments forward to you, that there will be a return on investment that they will in many cases pay for themselves, or more importantly, create improvements. As you know, i've been a real advocate for 24-hour city hall. The mayor, all of you have been an advocate for 24-hour city hall. We are on the verge of making that a reality through Portland online. We will shortly be bringing to you our approach for e-commerce, where your citizens will actually be able to transact business with the city over the internet, make payments, do permits. We're very close to making that a reality within the city. I'm going to stop there and turn this over to matt to provide some further detail on the benefits of this merger. Then we'll be available as will other staff in the audience to respond to your questions.

**Katz:** Go ahead.

**Matt Lampe, Chief Technology Officer:** Thank you. I am matt lamp, I am the chief technology officer, and for the last six months or so have had the privilege of working with the staffs from the then bureau of information technology and comnet. One of the biggest improvements we're seeing as a result of our merger effort is the unified engineering around network issues. We have a network today that delivers service through many essential components, the ernie, i-net, our in-building networks and our radio system. The reorganization provides us with a team that ensures engineering consistency and really looks at the opportunities among these networks to make sure that we have the ability to deliver the services we need and that we can really create our network as a nervous system for city government that allows us to communicate as we need to. On larger projects, and in the development of new service locations, the consolidation provides our customer with a single point of contact. Our bureau of business representative to focus the planning and ensures that all the components to bring services online are well coordinated. We can manage that for the customers as a package rather than requiring people to be their own project manager between two different bureaus relating to the same network that has to deliver service. Beyond just this merger, and going back to some of the efforts with the administrative service review process, with the consolidation of application and infrastructure staff, we've improved our focus to achieve a less complex more manageable environment. This requires effort to standardize platforms, to standardize purchase applications, and build a culture of taking advantage of the tools that already exist. Reducing the need for investing in similar or nearly duplicate platforms and applications. The work we've recently did with the bureau of environmental services is approved by this council last week to go with a request for proposal focused on vendors of similar information systems that are already in use. It's an excellent step to facilitate the move to fewer applications to support and maintain. There are numerous other examples I can cite. In Portland online we have a lot of reusable tools. One is the calendar application. Previously a lot of bureaus on their website calendar information about public meetings, about projects. But you really had to be very good at



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sort of rooting through the websites to find them. With the Portland online calendar, we have a tool that's reusable across the bureaus. As o.n.i. Moves their information online, the citywide calendar will have all the neighborhood association meeting information. The same tool shortly thereafter will include city-sponsored meetings on projects and policy proposals. They'll make it much more easy for an individual to be able to find specific information. Tim mentioned the e-commerce. As we work with the bureau of licensing to implement the income tax payments, we're developing a gateway to allow people to pay online. For tax payments, that would be a debit to a checking account. But the gateway will build -- we'll build will be one that will allow other forms of payments such as credit card for those sevens where we're ready to deal with credit cards, such as purchasing the smart cards for the parking meters online. Same tool, many uses. That's the cultural approach we're trying to build here, and we can really only achieve that because of the efforts that we've had around consolidation. There are more examples that I don't want to take the time to go through them at this point. There's a lot of work to do, and it will take some time to really get to realize all of the benefits that are possible here. We have to go farther withstands standard setting, consolidation of infrastructure, building consistent quality processes among the staff that we've consolidated from different bureaus, and assuring that we have a strong working relationship with the bureaus, because it's essential that information technology support the business of city government, and that's really carried out by those bureaus. One feature in the organizational plan is to corey -- is the creation of a small c.t.o. Advisory council of bureau directors and outside expertise. This council will provide an additional forum to provide business leadership into i.t. Strategy investment. It's my expectation the bureau director who reports to each commissioner will be included in that council to help assure that you stay informed and are involved in our progress. Thank you.

**Katz:** Thanks. Questions?

**Lampe:** We'd be happy to answer any questions.

**Katz:** Questions by council? That was a full report. Ok. Public testimony?

**Moore:** Andy seaton.

**Katz:** Thank you, gentlemen. Anybody else want to sign up?

**Andy Seaton:** Good morning. Andy seaton, Portland, Oregon. I'm actually trained as a computer programmer. And a systems administrator with 20 years' experience. I've been luckily able to take a few months off to pursue other areas that interest me, and I want to actually speak to this matter with a few perhaps digressions. But I want to support the idea of consolidating these two groups, because if anything, it's shown recently the integration of networks and computers is now ongoing, and the distinction is getting extremely blurred, even at the best of times. And everything that they were saying sounds good. One technical recommendation that I would recommend for various reasons, is to really embrace the open source community. Because it will save the city money, and it will also help strengthen the rather large and growing culture here in Portland in the silicon forest, as they say, of the open source community. Linus torval, the fellow who invented linux, who is now working for the central group in -- outside of beaverton, he's tell commuting out of california for the most part, and it will -- so that's a real sort of value added not only for saving the city money, but also for strengthening the local community. So I want to really support them. It's a good way to save money for the city, to -- because if there's one thing that's true about computers and technology in general, is that economies of scale is by coordinating things and coordinating the bureaucratic end of things helps. Money is probably what it's all about, and -- but it's not what it's only about. I would also like to thank you personally, vera, for your renditions on dealing with chief kroeker. I think that is something that the folks that have been doing some of the protesting like I have really welcomed, and he was never really a good fit for Portland, I was always rather surprised when he was hired in, and I want to thank you personally very much for taking that

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courageous decision and standing by it. And all of the craziness and the media and all of that that goes with it. So thank you. But I also want to say that saving money one place and speaking of telecommunications and all of that, you folks have -- with the changes in the increase with the enforcement on the police, you have essentially done away with the Portland peace encampment, we just have come to the conclusion it's impossible to continue at this point. And you folks have done a wonderful job of using your forces and your powers, especially as police commissioner, to stamp out descent, disorganized, etc., but that's something that I would like to vehemently say. No thank you on that one.

**Katz:** Thanks. Anybody else? You get one, you lose one. All right. Roll call.

**Leonard:** This is very exciting. As some may know, i'm very focused on creating some neighborhood service centers around the city that I talked to tim and matt both about. That could not happen without this kind of technology. We're depending on this to do that. We want to bring from crime prevention people, off -- somebody from planning, possible located out of those offices, but it is only through this kind of technology that that's possible. And we want to be able to issue permits, noncomplicated permits, building per mets, various kinds of permits out of those offices, so this kind of merger and focusing of resources is for me very exciting. And i'm tracking it closely, and we're very interested in exploiting its full potential to bring services closer to neighbors. Aye.

**Saltzman:** Well, it is nice to see this reorganization that was recommended in 2001 to come to fruition today and actually perform the new bureau of technology services. And it looks like a very good step forward. Actually at some point I would like maybe in a memo to us or something to talk about what is the potential for open source. Mr. Seaton just referred to it, I have heard a lot of people talk about it, and it does seem to be a niche that in Oregon in particular has a lot of job potential. So I guess if there's a role for it in the city, i'd like to know, and i'm not conversant enough to even begin to ask the right questions, so maybe you could help us that way. Aye.

**Sten:** Tim, great work. This -- this is the key to making government interact with people in the future, and we've got to get this right, and as I know better than anyone, computers can be tricky. You have -- [laughter] I really appreciate matt coming to Portland. I think you're doing a terrific piece of work, and it's nice to get somebody that recognizes a better place than seattle, and to steal you down here is terrific. So -- I think this is a nice piece of work. I think part of dealing with the technology is having ourselves organized. Technology never take the place of human organization, and I think this reorganization and getting our people lined up, and I think the morale is good, and it's very tough work that's being done, but it's being done very well, and also I think on a fraction of the budget, this will be something we'll have to pay attention in the future, you compare what the government, because of political and fiscal realities spends on technology compared to what a smart corporation does, and we're just not even in the ballpark. And so I think you're doing terrific work with -- for an organization our size in an -- with an inadequate budget, and we look forward to this. Aye.

**Katz:** I remember when we had a conversation here at the council, and it was a couple of us had the vision of a 24-hour city hall. I'm not sure we really understood what that meant, because neither one of us that had that vision really understood the technology. And so it was with the council's desire to begin to consolidate some of our services that we were able to get matt and to get really looking forward to how we could do this. And it's from e-involvement to allow citizens to communicate with one another in neighborhoods, it's to paying your bills, it's to actually having places around the city where citizens can just look and see about permits and about calendars, and anything else that we do in the city. Anywhere in the city. They don't even have to have wires at their own home. So that's the whole wireless phenomenon that matt was trying to explain to me how that would work. He tried that yesterday, and i'm probably going to have to hear about it a couple more times to clearly understand how we do all of that without wires. But I think we've got

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-- we've got the platform, we've got the foundation, and I hope that we move pretty quickly to get a lot of this done. So thank you, matt, thank you tim for overseeing this. Aye. [gavel pounded] 1043.

**Item 1043.**

**Katz:** Ok. Did anybody want to come in? Did you want to testify? Go ahead.

**Jay Drum, Portland Police Bureau:** I'm jay drum with the family services division, Portland police bureau. I'm just here to answer any questions you might have in regards to the grant.

**Katz:** Why don't you just explain a little bit. I know that commissioner Saltzman is interested in this area.

**Drum:** Basically what happened is, we had a loss of funding for our advocates over at the family services division. I was aware of the project safe neighborhood grant through my work at the tactical operations division. I had a great sergeant that did some research, found out that we could do some follow-up in regards to restraining orders and the marking of box 11 in regards to firearm possession by the respondent. And so with that in mind and the idea behind the project safe neighborhood grant to address firearm issues, I applied for the grant, we received it, and the ideas, we'll bring three advocates back to work with our officers. The importance of the advocate is they build an empathetic relationship with the victim, which usually helps us acquire more information for prosecution. Also assists the advocate -- the advocate assists the petitioner through the justice system, and helps with the prosecution.

**Katz:** This is a follow-up on a -- I call them the attorney general for the state of Oregon, mr. Mike mossman.

**Drum:** Correct.

**Katz:** Who --

**Saltzman:** U.s. Attorney.

**Katz:** U.s. Who was carrying out the federal program called project safe neighborhoods. And it is still fill focused as the work we did on gun violence, and domestic violence.

**Drum:** Correct. That was the good news. I was competing against john canda, and I was happy to see we both received it. So that was the good news. Portland was one of the biggest -- largest recipients of the grant awards.

**Katz:** And that's I think one of the reasons, because when we started the work in the community, we had all the jurisdictions at the table, including some of the federal agencies, and we kept -- we tried to keep that group together, even when mossman came on board. So that I think this is the result of our -- of our ability to gain those resources for this program.

**Saltzman:** So I guess describe to us how this fits in with the overall emphasis on reduction of gun violence and particularly getting guns -- isn't it focus order getting guns out of the hands of people that have item temporary restraining orders?

**Drum:** Correct. Especially if they have a propensity to be classified in the career criminal by doing a background check on some of the information that we receive from the restraining order, we can find out if this person should even have guns to begin with. And it's an area of information that's always been collected, but we've never had the resources to research it and follow up with it. It's also to replace the advocates we lost, because the officers and the domestic violence unit work hand in hand with the advocates, and also addressing the issues of the victim along with the respondent to maybe in a legal possession of a firearm or just committing domestic violence.

**Saltzman:** So in addition to the advocates, there will be increased focus on, as you said, information that we've always had, but have never been able to act on in the past about restraining orders and guns?

**Drum:** Correct. To research it in more in-depth -- we'll always be working with alcohol, tobacco, and firearms in regards to the firearms, if it reaches a level of federal prosecution, we'll be working

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with the district attorney's office. It's a very large joint effort. We're working with parole and probation, back to what the mayor said, parole and probation has found that some of the exgang members that are getting out of jail or prison at this time are more involved in domestic violence than they are getting back into gang activities. So it will be a group effort. We're also working with east county. One of the advocates will be bringing back -- we'll be bringing back will be bilingual to address the issues in the east county that are developing.

**Saltzman:** Thank you.

**Drum:** A large joint effort. One thing i'd like to say while i'm up here, i'd like to thank the mayor, the council, and i'm speaking for the family services division as a whole, the child abuse team, domestic violence, and especially commissioner Saltzman, I appreciate all the efforts that you put forward for the children and the families of the city.

**Katz:** Thank you.

**Saltzman:** Thank you.

**Katz:** That's nice. Thank you. Anybody else want to testify? Roll call.

**Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

**Katz:** Just wanted to remind the council, this goes back to what we heard many years ago about the boston plan, the boston plan became the Portland plan, where we pulled all of the interested parties within the jurisdictions, local, county, state, federal, parole and probation, worked around the -- worked with them in trying to identify the abuses of gun violence and restraining order, domestic violence, gang violence, and as the result of that very early work, we still have the human infrastructure in place to make this grant possible. Aye. [gavel pounded] ok. 1044.

**Item 1044.**

**Susan Hathaway-Marxer, Portland Parks Bureau:** Good morning. My name is susan Hathaway-marxer, i'm with the parks bureau. I'm here today to seek your authorization of a new lease agreement for parks that would be with nextel west corporation. They wish to install antenna on the -- what is the backside of the children's museum up at Washington park. We've had a long and successful -- a long and ultimately successful negotiation with nextel. And we're looking forward to getting their money.

**Leonard:** Is this a cell phone antenna?

**Hathaway-Marxer:** It's a telecommunications facility, yes, a wireless facility.

**Leonard:** And is it located in a place where we do not have one currently?

**Hathaway-Marxer:** I'm sorry?

**Leonard:** Is it being located somewhere where we do not have one currently?

**Hathaway-Marxer:** Actually, we have one facility up there already, verizon is already up there. There's also room for another after nextel. These have all -- these installations have all been reviewed and approved by what was comnet to make sure there is no interference with each other, or with city communication facilities.

**Leonard:** And this is located at the children's museum, at the old omsi site?

**Hathaway-Marxer:** Yes, sir. On the roof, on the top of the roof on the back. It's not anywhere near, even remotely near a child would go, or any staff would go. It has been thoroughly reviewed by the technical people and determined that it's quite appropriate location.

**Katz:** Let me follow up. This is a cell phone tower, right?

**Hathaway-Marxer:** Yes. Three antennas. It's not a tower, it's three antennas.

**Katz:** How high are they?

**Hathaway-Marxer:** I don't know. I don't know how high they are. They are comparable to what's there, what verizon has there now.

**Katz:** Because I normally vote on these. And I don't know if --

**Leonard:** The one time I have I voted no.

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**Katz:** So --

**Leonard:** That doesn't look good.

**Katz:** Right now it doesn't look good at all: Because I excused myself since I am very biased in opposition to them for a lot of reasons. So -- maybe we ought to -- this is an emergency -- is there an emergency on this?

**Saltzman:** There is.

**Katz:** I know, but is there -- can this wait until next week?

**Hathaway-Marxer:** Yes, ma'am.

**Katz:** All right. Do you have any problems with delaying this --

**Leonard:** No. No. I have concerns about it being located on the children's museum. Maybe somebody --

**Hathaway-Marxer:** They have -- nextel has gone through all the requirements --

**Katz:** We understand that. We understand all of that. The problem is when you ask them questions about safety and health issues, they can't answer them.

**Hathaway-Marxer:** There is one already there. It was there before -- it was there when omsi was there, so we inherited it.

**Leonard:** And I appreciate that. Some of my concerns goes to -- how can I put this -- as I became more aware of this issue after we had a discussion soon after I was on the council, what i've learned is, these towers go up independent of each other and there is virtually no effort to coordinate or use the same facility for multiple companies. And i'm noticing these towers being erected all over the city within -- I have seen within three blocks of each other three towers. And I think it's a problem that needs to be addressed. I'm not obviously antitechnology, I mean, i'm wearing my cell phone. My concern is that we're not doing as good a job in planning for these as we could, where they're erected, how they're erected, and that the city's not doing as good a job as we can to force towers to be coused, to minimize a number of these independent structures being erected.

**Saltzman:** That's interesting, because I thought we had a city policy that required them to share towers first and only if they couldn't share. But that's not relevant --

**Leonard:** And the only reason that i'm saying that is because when we had the hearing here that we did, and I asked that question, the answers I got about sharing specifically out in that location, towers, was -- were unsear, and I was later told were incorrect from the applicants. And then I have just -- i'm interested in having this discussion with somebody who knows a lot more about this than I am, but I will point out specific geographic spots for whoever can help me and show them where these independent towers are located for different companies with different cells. And it just doesn't make sense to me. And I need somebody -- other than somebody who has a financial interest in the issue to explain to me why that makes sense.

**Hathaway-Marxer:** I can tell you one thing, and I think the city attorney wants to bring up a technical point. The industry does consider this to be a colocation, because one -- they are not towers. They there are no towers. They are antennas. They are remarkably different looking than a tower. And they do consider this among in their industry, and the comnet people also do, to be a colocation.

**Leonard:** And I need to have further discussions along the nature of the concerns the mayor has as well. I've had a history of the same issue in my family, and I have concerns along those lines. So I need to better understand some of these issues.

**Katz:** What's your technical issue?

**Harry Auerbach, Sr. Deputy City Attorney:** If one of you is inclined to vote against the ordinance, it might be prudent to amend it to cleat the -- delete the emergency clause, so when it comes back you can simply take a vote on it.

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**Katz:** I was going to do that. I wanted maybe to delay it so that it could pass as an emergency if people felt comfortable, if mike understood the difference between the tower and the antennas, and if commissioner leonard felt comfortable, so --

**Auerbach:** That's fine.

**Leonard:** There's frankly not enough information for -- here for me today to support this.

**Katz:** So you are going to have to wait for your money.

**\*\*\*\*\*:** We can do that.

**Sten:** Should I move it to remove the emergency clause?

**Katz:** You could.

**Auerbach:** If you take the action to remove the emergency clause today, then you can vote on it next week and -- if it passes, it will be in effect --

**Katz:** I was thinking maybe we could get it passed with an emergency clause, but there -- that may not be possible. I'll take a motion to remove the emergency.

**Saltzman:** So moved.

**Leonard:** Second.

**Katz:** We'll take it back.

**Auerbach:** Are you continuing it?

**Katz:** Continue it until next week.

**\*\*\*\*\*:** Thank you.

**Katz:** Ok. 1045.

**Item 1045.**

**Katz:** Anybody want to testify on that?

**Saltzman:** I wanted to briefly say what it was. Our goal is to recycle 54% of our solid waste -- 60% by the year 2005. This is an i.g.a., intergovernmental agreement that metro will provide us with \$35,000 to administer the master recycler program. This was previously an o.s.u. Extension program, very popular program that really takes people and makes them master recyclers, and this go round and train other people, and we're really pleased to be taking over the administration of this.

**Katz:** Anybody want to testify? If not, roll call.

**Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

**Katz:** Mayor votes aye. [gavel pounded] thank you, everybody. And we adjourn until thursday at 2:00.

At 10:45 a.m., Council recessed.

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**Closed Caption Transcript of Portland City Council Meeting**

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

**Key: \*\*\*\*\* means unidentified speaker.**

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**[roll]**

**Item 1046.**

**Katz:** Alright, what we're going to do is have Gary Blackmer, our City Auditor, give us the background again. For the people in the audience, the Council has had a work session on it, so the Council is somewhat familiar with the study and has had it for at least a week. We'll have Richard Rosenthal to review the study results and then we'll have Chief Foxworth do the Police Bureau response and we can say "welcome" to the City Council. It's quite an initiation. And then Robert King, the PPA president, would like to testify for a few minutes. Then we'll open it up for public testimony.

**Gary Blackmer, City Auditor:** Thank you madame mayor, City Council. City Council asked my office when we were building the Independent Police Division to also look at some proposal for looking at officer involved shootings and deaths in police custody. So we brought Richard Rosenthal on board as the director of ipr and he and I worked through various alternatives. And then after he had conferred with council, with staff, with the portland police bureau and representatives of the community, he brought forward to Council a proposal that we hire a national expert to look at closed cases. Council was clear that we should look also at a policy level and not focus on individual cases, but look for those areas where we thought we could make a change in policy or training that would reduce the possibility of officer involved shootings and deaths in police custody. So we put together an rfp and conducted a national search for consultants to conduct this review. We selected the police assessment resource center. It's director merrick bobb was the nations first police monitor and he and his staff have been a police monitor for the los angeles police department since 1992. Their work has gained nationwide respect over the past decade. They also serve as a national resource center on police oversight and respond to various questions. In the course of their review they produced this report here, which I think in many ways is extraordinary. First it is a report that focuses on solutions and strategies for improvement. But second it represents for the first time a city in our country has gone forward to be accountable with the citizens, to understand what it could do better in terms of officer involved shootings. This is an attempt by portland, I think, above all other cities to do it, not under the pressures of the us department of justice, not under secret contract with the city attorney's office, but to be open and straightforward with it, so I applaud council and I applaud the city of Portland for being willing to go forward with this. Part of the continuing process is for our office to, to monitor the implementation of recommendations and we, we put this report together with the intent that, that we would be able to monitor and also with the intent that, that those recommendations would be clearly understood by the police bureau and that they would understand the base and rational for it.

**Katz:** Let me interrupt. Not only the city council, but the police bureau, itself, in fact, helped pay for the report and agreed to do that.

**Blackmer:** That's correct, yes. And the consultants, as well as us, extend our appreciation to the police bureau for its immense support to this process. It wasn't always easy to be asked these kinds of questions and even when they knew the answers were uncomfortable, they provided unending support and cooperation throughout it. So, we want to extend our appreciation. So, at this point, i'd

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like to have richard rosenthal quickly go over a summary of the reports for, for the people on cable and others that may not have had an opportunity to see it.

**Richard Rosenthal, Director, Independent Police Review Division:** Good afternoon, members of council. Richard rosenthal, director of the independent police review division. The police assessment resource center, which I will referral to as PARC, the consultants that we hired comprehensively reviewed the police bureau's files relating to 34 incidents. 30th officer involved shootings where the shots were fired by Portland police bureau officers, two incustody deaths and two shootings by other officers that occurred inside the city of Portland and therefore were actually investigated by, by the Portland police bureau. It should be noted that, that the PARC review encompassed only 34 incidents out of a nearly 1 million calls for service during the 3.5-year period of the review. The PARC consultants also reviewed the bureau's policies and procedures regarding the use of deadly force. The PARC consultants reached the following conclusions. First and foremost they found no malicious use of firearms. They found no evidence of racial or ethnic bias. In addition, they noted that many of the police bureau's training practices and training curriculum were among the best in the nation. They also identified, however, serious problems relating to the bureau's handling of officer-involved shootings and in custody deaths. The PARC consultants found the internal review mechanisms that existed from 1997 to mid 2000 did not demonstrate a consistent commitment to meaningful review and did not generally result in lessons being learned from the incidents. They found the bureau did not conduct a documented internal review at the unit or the executive level in almost one-third of the incidents they reviewed and that there was an undocumented executive review of another 13% of the incidents that did not conform to bureau policy. They found that the investigatory model used by the police bureau focused on whether a crime was committed and underemphasized the policy and tactical issues more consequential to these events. The police bureau also developed some exemplary policies relating to the officer-involved shootings, specifically an interview protocol with respect to conducting the investigations and an excellent peer support process, but overall the policies and practices were determined to need improvement. Notwithstanding much good work, the bureau's investigators -- it was found they did not always conduct thorough and impartial investigations, and generally they did not present the evidence in a comprehensive and clear, organized manner for review. With respect to the incidents, themselves, the PARC consultants concluded that some of the 32 incidents demonstrated exemplary tactics and leadership. Many, however, demonstrated flaws in supervision, incident management and field tactics that unnecessarily exposed officers to risk and increased the likelihood they would have to use deadly force to protect themselves. The PARC consultants did not just point out the problems but offered solutions, and among the recommendations they said that the city should adopt a professional auditor-type model of oversight for administrative investigations and the executive review of these cases. This oversight would be akin to the oversight that the i.p.r. Provides with internal affairs investigation this. Oversight would serve as an insurance policy to improve investigations on a real-time basis and insure that the problems identified by the consultants do not recur. Bureau needs to change its model that it uses for investigating such incidents to insure that administrative and tactical perspectives are explored. Two models were suggested. One is the internal affairs overlay model where homicide detectives and internal affairs investigators conduct concurrent investigations at the scene. Another one is a specialist team model where, where a stand-alone unit specially trained in these areas conducts the investigations and investigate all aspects of the incident. The, the police assessment resource center noted that the officer-involved shooting of investigators would need to adopt practices that include tape recording of all witnesses, ending the policy of pretaped interviews and including all the documentation of their investigations in the official bureau files. In addition, they concluded that the bureau should include a civilian from outside the bureau to be a voting member of any use of



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force review board that is, that is created to replace the review level committee. This person should have a legal law enforcement or other relevant background in the education, experience, and training that would be necessary to serve in this function in an effective manner. In addition, the bureau needs to take prompt statements from its officers who are involved in these incidence and keep the officers sequestered from one another until the statement is taken. During the council informal chief kroeker mentioned this area is a complex issue. He's correct. I actually have special expertise in this area because I was the leader of the -- what was referred to as the dirty team for the los angeles district attorney's office relating to the taking of compelled statements from officers and cleaning up those statements so they could be used in criminal prosecutions.

**Katz:** I didn't know, what were you an expert in?

**Rosenthal:** I am an expert in the issues, the garrity issues and how you can protect a criminal investigation from being contaminated by an internal investigation. I have dealt with hundreds of cases in that regard and a million pages of documents, and the chief, chief kroeker was right, it's a complex issue, but one of the things that, that people need to be aware of are two possible solutions to this problem. The first one is that the bureau works in partnership with the police unions, and in an attempt to create a process that will result in voluntary and timely statements from the involved officers while insuring the officers their due pros rights. The second is the state legislature would need to make a change in state law to provide for a grant of limited immunity that would allow the bureau to take a compelled administrative statement from an officer while protecting the district attorney's ability to file criminal charges if the evidence warranted it. Even then, however, processes would have to be put in place to protect an officer's right to confer with his or her union representative or his or her counsel. So, it's a significant issue. It's one that is complex, but there are ways that we can deal with it and hopefully --

**Francesconi:** Just to let you know, some people in the district -- in the city attorney's office have a different view as to whether state legislation is actually required.

**Rosenthal:** And I am basing my opinion based upon discussions that I have had with the district attorney's office and concerns that they have over the type of immunity that's provided by state law. Obviously, we have got to work with, with the city attorney, but we specifically -- the district attorney.

**Katz:** And the district attorney, as well.

**Rosenthal:** Exactly. PARC also recommended that the bureau needs to maintain its officer-involved shooting, investigative files for 25 years. That the bureau needs to enact policies relating to the use of lethal force, including the adoption of the mission statement, memorializing the bureau's respect for human life, placing greater limitations on when deadly force quarterback used against a fleeing felon. Placing limitations on when shots can be fired at a moving vehicle. Adopting policy limiting dangerous foot pursuits, adopting a policy to define what nonfirearm conduct constitutes deadly force and adopting a policy specifying when a firearm can be pointed at someone. It should be pointed out the bureau has a lot of excellent training in this regard. The problem is that it is not placed in their policy manual, and therefore, it is more difficult for the, for the police, police bureau's executives to either implement discipline or to take appropriate action if an officer fatal -- fails to live up to those expectations. The bureau needs to criticize incidence better. The state of california has recently developed better supervision by their lieutenants and sergeants. There are 89 recommendations in all monitored by the i.p.r. And consulted on an ongoing basis. In closing, consultants noted that it would be easy and even tempting to bash the bureau as a result of their findings. But, that would not lead to the improvements that everyone wants and desires. Everyone wants effective policing, which is respectful of people's rights, and the consultants found that the very first constructive step was the bureau's willingness to cooperate with the review and to agree to implement a number of their recommends.

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**Blackmer:** Let me add one other thing. This isn't a casual read for anyone. 240 pages of this report have a lot of detail, and, and I wanted to emphasize to everybody the members of the public, the counsel, the bureau that we really need to read this cautiously and carefully that, that we need to read these within the context of what the consultants are intending, when they are describing incidents and be careful that you are not extending your analysis beyond what the, the consultants wanted you to understand around the issues of an incident, but also not to take the recommends beyond where the consultants are going. My experience has been that we don't want to overcorrect. We want to put the bureau in the right position to adequately approach these issues in an efficient and effective way, so to that extent I really encourage people to approach this cautiously, carefully, and thoughtfully and make sure that they really understand what the reports before reaching conclusions.

**Katz:** Thank you. All right. Introduce everybody who is at the table. Thanks.

**Derrick Foxworth:** Good afternoon, mayor, members of city council. My name is derrick foxworth and I am serving as the police chief for the Portland police bureau. I brought with me this afternoon other members of the Portland police bureau and I would like to take a minute to introduce them. To my far right, commander james of the detective division. Immediately to my far right is assistant chief scott anderson, who oversees the investigations branch, which includes the detective division and also the internal affairs division. To my left is assistant chief lynnae berg who oversees the operation support branch, which also includes the training division. To my far left is commander -- or actually assistant chief stan grubs who was -- recently-pointed assistant chief. He served as command for six years. This afternoon we are here to respond to the PARC report, and I wanted to take a few minutes and go over some of the things that we have done since last week. With regard to some of the recommendations. Over the last week, frustration over the police assessment resource center's report on officer-involved shootings was demonstrated. Members of the city council, community members and the media have all discussed the long reaching effects of the report and the need to move rapidly. I see clear lines between this report and the community's discussion of the police bureau's need to recommit itself to community policing. With community policing comes accountability. The police bureau must have thoughtful review and input from the community on some of the recommendations in this report. To just blindly implement without thoughtful review and some input from others and without the understanding of this implementation is right for Portland would do a disservice to the community and the citizens of Portland. For example, one of the PARC recommendations is a helicopter, which citizen advisory groups have long stated would not be in the best interest of this community. Basic community policing philosophy requires that we speak with stakeholders both inside and outside the police bureau as we evaluate each recommendation. This community input many times leads us to reevaluate and take a second look at issues. For example, one recommendation that the police bureau originally thought was not practical in application was evaluated by s-port, which is the community police organizational review team. Because of c-port's analysis, the bureau has agreed to reevaluate their recommendation and take a closer look at it. That's just one example of community input being a valuable component of implementation. We'll discuss specifics of recommends and time line in a few minutes, but first i'd like to take a look at the big picture. Let me share good news with you. During the 3.5-year period this report encompasses, the Portland police bureau officers responded to nearly 1 million calls per service. When analyzing these cases, the police assessment resource center found that the bureau did not gratuitously use firearms or weapons and there was no racial or ethnic bias to be found. In addition, the report praised the bureau's training policies and procedure. That's the good news. Without minimizing the negative aspects of this report, we should highlight these points as well as look at today's picture. The bureau researches and explores new options for less lethal control of violent suspects. Although

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violent crime is up in Portland, I am pleased to say that the use of deadly force is down. Although even one life is too much. In 2001, in 2002, the police bureau had eight applications of deadly force. This year to date, we have only had two. The Portland police bureau values human life. The act of taking human life is, unfortunately, something that police officers find themselves confronted with from time to time. Deadly force is a reality in law enforcement, and that is why the police bureau has looked at technology and the use of the crisis intervention team to successfully diffuse what would be incidents or deadly force justified. Full implementation to the taser was made in december of 2003, and since, since the implementation, there have been hundreds of applications where the taser has been used and certainly in some of those incidents, deadly force may have been justified, but because of the extra piece of equipment, the taser that officers now have, it is something where many of the situations have been resolved without serious injury or loss of life. In addition, the bureau now has more than 200 officers trained in crisis intervention. The crisis intervention team was started in 1995. It is our hope that the less lethal techniques and other tools such as the crisis intervention team will continue to decrease the use of deadly force in the city of Portland. What should the community expect? That said, the community must be assured that when there are police use of deadly force, that it will be investigated and documented thoroughly and with the highest standards of integrity and professionalism. They also must be assured that the police bureau will conduct a stringent review of the deadly force and learn of any errors that might have been made. The report found a concern between the disconnect of what take place in training to field application. Therefore, supervisors must insure that training and policies are being followed and that the critical review and analysis take place. And we must have effective supervision. This is an area that we will seek improvement via more stringent review of the actions. Let me talk about the recommendations and the time lines. This report indicated 89 recommendations that it felt would dramatically improve the Portland police bureau in regards to the investigation of police-involved shootings. Of those 89, 44 of these recommendations, 50% have already been implemented. The implementation of 28 were made prior to the publication of the report, and an additional 16 were made since the publication of the report last week. These changes were a result of standard operating procedure changes implemented in the detective division under commander ferreras. That leaves 45 recommendations, eight of which the bureau disagrees would be a good fit for Portland and 37 which the bureau will prioritize and evaluate the best way to implement. Of those 37, there are many that can be implemented in the coming weeks. There are few that will require input from the community, the city attorney, union negotiations, and city council support. We will be assigning each of these recommendations to members of the police bureau's assistant chiefs. The police bureau will meet weekly with mayor Katz and update her on the status of the recommendations, and we are also open to coming back before city council in 30 to 60 days with the prepared report if desired. It is important that we continue discussing this report that the bureau continue striving for improvement. As the report itself says, no set of recommendations can eliminate the need on occasion for law enforcement officers to use deadly force or to defend themselves and others. I am hopeful that by working together with the community, we can take these recommendations and follow them into the police bureau. We must meet the community's expectations and we must continue to improve and learn. In closing, I ask that the Portland police bureau and city council and the citizens of Portland stand with us together and support us as we work through this pros. Thank you.

**Katz:** Let me ask you a question, are you prepared to identify the 16 additional ones that did not appear in the report? That you agree and are ready to move on with? Or is that a report that will come to us in a short period of time?

**Foxworth:** Mayor, that's a report that we can give to you in a short period of time. What I can tell you is that we did have 28 that were implemented, and then since then, there were another 16

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implemented on september 2. There are eight still in progress. There are 29 that will be under review and have been assigned to the assistant chiefs and that will also be reviewed by our advisory councils and the seaport members.

**Katz:** The question was on the 16, are you ready to share that with us or, or would you like to wait on that when, when they are reviewed.

**Foxworth:** I'd like to have a bit more time so that we can specifically identify those and share that with you later.

**Katz:** Questions by the council? All right. Go ahead.

**Leonard:** Welcome, chief.

**Foxworth:** Thank you.

**Leonard:** I've read the report, and I was intrigued by the provision that, that talked a number of times about a model in phoenix, arizona, and it's a model i'm familiar with on the fire side, and it was interesting to me that the police side seems to, to be as, as kind of progressive in some of how it, it addresses issues. My question goes specifically to the labor management model that I am aware of they have there. What labor management model, if any, exists in the police bureau and what do you intend to do to, to implement one to help deal with some of the issues that are identified in the report? And others, as well?

**Foxworth:** I will have the assistant chief talk about the phoenix model, but I believe that in any implementation or any process, it's always important to have input to have involvement and participation of the union.

**Leonard:** I have heard that said a lot. I guess what I am asking is what we are actually going to do about that, and it's my understanding in the police bureau there hasn't been an effective labor management model. It's my opinion some of the issues addressed in here could be addressed more cooperatively if there was an ongoing systemic relationship that existed formally with you, the command staff, the police union, and, and i'm real interested in if you don't have one, what that looks like. If that's on your radar screen to work on.

**Foxworth:** It's something that I am not prepared to respond to today, but I can say that, that now that you identified that, certainly I am willing to go back and enter into conversations and discussions with the Portland police association and talk about some type of formal systemic process.

**Leonard:** I urge you, if you wouldn't mind, to consider discussing this with carl simpson, the director of boec. He implemented a model out there had that has proved to be a tremendously successful and virtually eliminating grievances. We had the first contract settled out there before the expiration of a contract in anybody's memory, and it's, it's a tool that helps both sides, and I just sense from reading the report that there's a lack of, of good communication between management and the union.

**Francesconi:** If I could follow up -- i'd like to follow up on commissioner commissioner leonard's question. On the issue. Labor management, I got a terrific e-mail from, from a sergeant from north precinct who I didn't say I was going to identify, so I won't. But he had a lot of, of some negative things to say about the report, but some very positive things, suggestions to make about how to better improve -- better protect the public and the officers. He said some things like, like time is almost always on our side. Let's use it. Never make the situation worse by your actions. The police officer's job is to solve problems. And then he talked about when to draw a weapon and when not to. Make sure there is a legal justification. My question is, is this may be an opportunity to really engage online officers and sergeants in this report. You talked about the importance of involving citizens before adopting recommends but the idea of, of involving online officers would be a way to, to make sure that what we do will also work on the ground but also encourage the right behavior at the same time. So, do you have some plans about how you are going to do that?

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**Foxworth:** That's a very good point, and, and I believe that, that we have to sign the recommendations to the assistant chiefs and they will go back to the divisions and they will seek input from those members who are directly impacted by these type of recommendations. That will include not only the, the detectives or the officers, but also sergeants and lieutenants, as well.

**Francesconi:** Ok. That would be good. And your idea of getting back to us in 30 or 45 days, first, I want to compliment the mayor for acting on, on this so quickly so bringing it back to us. You were faster than any member of the council, including me, mayor, and, and -- but I think the idea of giving us a report in 30 days would, would be terrific as to your progress. It would be a way to let the public know as to what's happening. My second follow-up to commissioner Leonard's question is the phoenix model but in a different sense. One of the things that council was struggling with was the role of citizen review of police shootings. That was one of the reasons. What's the role of citizens in reviewing these? That was one of the reasons at least I wanted this report and other members. In our system, we have a mayor, who is a civilian in charge. We have a district attorney who is a civilian, but this report shows that, that we need more. The issue of civilian review with, with appropriate expertise of the civilians in an appropriate model is essential now. So, can you say more about the phoenix model and how they use citizens in reviewing police shootings?

**Lynnae Berg, Portland Police Bureau:** Commissioner Francesconi, I am Lynnae Berg, and I am answer that question. We went down to phoenix in July and actually had an opportunity to observe the use of force board as it convened to deliberate. They gave us full access to their organization and answered many of our questions. One of the things that is intriguing about that model is that the use of force is balanced with three civilians and then three department members. They all have an equal vote in the process, and it allows the citizens to be at the table involved in questioning the investigators, asking follow-up questions about training and policy, and then they also hear directly from the involved officer, the one who, who used the application of deadly force. Here's their story, and then they have the opportunity to ask that officer specific questions about the incident, so there's a great deal of transparency in the process. A great deal of involvement by the citizens. They commit to learning about police work prior to serving on the board, and they commit to thoroughly reading the investigations and doing follow-up if necessary.

**Francesconi:** So that's the kind of model you are at least looking at?

**Berg:** Yes, it is.

**Francesconi:** Another -- a new reference that the chief -- and welcome, by the way. I appreciated our earlier meeting. Your first role, at least that I met you as chief. But the question of learning from each episode, to me that was one of the most disturbing parts of the report that we didn't even analyze to see how tactics, policies, supervision were impacting, which is really a danger to the officers and the public. Can you -- and then it talked about how we had terrific training officers, but there was no way of evaluating whether the training was actually connecting to the officers, and I think you referenced it. In particular, regarding the crisis intervention team you mentioned, it said we weren't always deploying them and we couldn't tell if it was being as effective as it need be. Can you say a little more about how you are going to, to make sure the training is actually happening and make sure that, that we are actually learning from each incident?

**Foxworth:** Yes, commissioner. In fact, the issue on field supervision and after action report review, there are concerns about the consistency with the after-action reports. That's an area signed to assistant chief Grubs, and he has the assignment of working on it to insure that we have more effective stringent oversight. That there is honest discussion. Honest review. Critical analysis of incidents when they occur. I think as an organization, we are getting better at that. One example is with the recent demonstrations, we sat down and we discussed what took place last time, what errors did we make, areas we can improve in. I think that that's a demonstration of the type of commitment that we have from, from folks in this organization. And your second question was --

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**Francesconi:** That was -- just, I guess, it was more a request. If you could look at the cries intervention team, in particular, are we deploying it as much as we should be, is there anything that we need to do to improve it? But your point about training regarding major episodes, like the first mayday from my view was really not handled well by the police, but the training that you employed or actually under the direction of the former chief, you deserve a lot of credit, and that's what was so surprising about this because I saw that you were learning from the other episodes but then not learning from these, so your statement you just made, that much commitment to this, is something that would be good if you could periodically update us on. My last question is -- the other bad part about the report is -- it's analysis of the investigations that were going on here compared to other normal police investigations, the, the type of questions that were being asked, the forensic, the level of forensics involved, the issue of preinterviewing, the issue you have addressed, the mayor's talked about of waiting to take statements, you know, the public has to have confidence that we're treating all citizens the same. Can you say more about, about what you are going to be doing in this regard to improve the quality of the investigations if, in fact, the report is accurate?

**Jim Ferraris, Commander Detective Division:** Commissioner and other council members, I am jim, the commander of the detective division. In terms of your question about forensics, the PARC report specifically talked about gunshot residue testing. They referenced new technology. We are exploring that technology with the crime lab and trying to find the best fit for, for our organization and our community, so that is definitely on our screen. In terms of the type of questions that detectives ask, we are retooling our investigative checklists that the PARC complimented us on one of the finest they found in the nation, but there is improvement that's needed. We are going to retool that and give our detectives guidelines on what type of questions to ask that not only deal with, with the criminal perspective, but policy, training, and tactics and how the whole event unfolded, so that's on our screen, as well. Please refresh me with, with the other --

**Francesconi:** Free interviewing.

**Ferraris:** Preinterviewing. If that ever was something that, that was a practice in the bureau, it no longer exists. I issued a policy earlier this week that all factual discussions or material fact discussions of an officer-involved shooting with the involved officers will, will occur on tape, so there certainly is a need for the detective and the subject who is being interviewed or the officer interviewed to have time to break the ice and talk one-on-one but when that material discussion occurs, it will be on tape.

**Francesconi:** How about the delay and failing to ask for voluntary statements? Of officers which, which most of the jurisdictions do. Did you -- could you address that, chief? I don't know if you addressed it or if you want to address it.

**Foxworth:** Yes. That was -- that's an area that has been addressed. The commander may to want add to this -- did issue a standard operating procedure that when an officer is involved in a deadly force situation, that investigators will, will ask the officer if they will submit to a voluntary interview. Jan, do you want to talk a bit more about that?

**Ferraris:** That will be a consistent practice across the boards. Detectives will have a, have a consistent statement or a request that they will ask each involved member to, to submit to a voluntary interview and the question, the response, the date and time of the request will be noted in the detective's investigative report in a consistent manner. In terms of, of the delay in interviewing. As you know, it's a complex issue. Detectives need timely information to get to the truth to find out what happened. Nobody wants that information in a more timely manner than the detectives assigned to the case that they are investigating. Hopefully our request for that voluntary interview will help expedite the process, but as we've been in discussions with the p.p.a., robert king and I met about this issue to close that gap. We are going to continue to work on that and it's going to continue to be on our screen, but we have to respect two things -- one, the constitutional protections

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of all citizens, including the police officers have, and the labor agreement that has some, some advance notice requirements of 48 hours, in particular incidents. So, we have to keep that on our screen, as well. But we will continue to talk to the p.p.a. And work through it. We are confident that we will close that gap to have those discussions and those interviews take place in a very short period of time.

**Francesconi:** Although I was already been said, it should be reemphasized. You folks agreed to this report. It wasn't forced upon you. You paid for it. And now best of all, you are taking it's very seriously and acting quickly, so thank you.

**Foxworth:** Commissioner Francesconi, can I could add one more thing that the commander didn't mention. There was concern about officers discussing such incidents, and another, another procedure that is added is that a commanding officer will contact the officer under those situations where deadly force has been used. It will be the officer who used deadly force and witness officers. They will then be served the communication restrictions notice that limits the conversations that they can have to, to their union representative, a legal representative, a medical professional, and others who are protected.

**Francesconi:** Those are all welcome and terrific changes.

**Leonard:** If I can just follow up on one point that the, that commissioner Francesconi made. It was when the officers were being interviewed by homicide detectives. It would appear that there were leading questions being asked that were suggesting answers given the questions asked, what kind of training or, or directives are you involved with to stop that?

**Ferraris:** Certainly from time to time there's a need to, to ask a leading question depending upon the circumstances. The PARC report mentioned some specific instances on more than one occasion where, where the leading questions were asked. I have directed the supervisors of the homicide detail to be engaged in, in speaking with the detectives before the interviews, to insure that leading questions are kept to an absolute minimum and used only when necessary. The detectives will use an interview checklist that we already have one that we have developed, will continue to add the things that the PARC report has recommended to our checklist, and that will be their guide on what type of questioning to ask. Certainly, we want to ask probing questions. Questions that, that peel back the layers of what happened to get to the absolute truth, but from time to time, we will need to ask a leading question.

**Katz:** Nobody else? Ok. Chief, they will probably want to have you come back after we hear the public testimony. Robert king.

\*\*\*\*\*: Mayor, city council. Good afternoon.

**Katz:** Good afternoon.

\*\*\*\*\*: Nice to see all of you.

**Katz:** Identify yourself.

**Robert King, President of Portland Police Association:** I am robert king. The president of the Portland police association. I have -- just to open my comments, I have a desire that the city of Portland be a safe place to both live and work, and for that to occur, the work that's done is between, I think, the citizens and, in particular, the police bureau and of course, you, the council. The report that we are talking about today, the PARC report, obviously, is going to have an impact on, on how the police bureau does business in a variety of different ways, and, and while that's really what we are focusing on and talking about, I really appreciated the comments from, from commissioner Francesconi and commissioner leonard that really what's going to be important for us, I think, as we move forward into the future as an organization, as a, as a community is that we find ways in our relationship to communicate more. I think that that's what ultimately is going to be the most helpful thing that we can do. Officers, sergeants, detectives and criminalists have, have a, a -- have extensive, obviously, extensive experience in background and expertise in the work that

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they do. They are experts in the work that they do. We, through this process, weren't involved in the, the review of the draft, and what I see now is, is an opportunity for us to become involved in the discussion about, about how changes will occur, so that the changes that do happen, happen in a way that's really best for the bureau and for the officers and for the community. So, what I hope happens is that, is that this report, like other reports that we have had before and other reports we will have in the future, I hope it becomes an opportunity in the relationship that, that is really a communication tool that increases the, the conversation within the police bureau. I really appreciated the chief's comments about how important it is to get, to get input and comments from the community, but I will look forward to, to talking with, with the chief about how we can be involved in the discussion because we want to be and because we think that we have something to, to contribute. We want to be helpful and constructive in the process as we, we sort of figure all this out and move forward.

**Katz:** Thank you. Questions? Ok.

**Sten:** Thank you. I really appreciate the way you approached this, robert, and as I have all your work. Can you speak at all to -- there is a sense, which I think is, is, is appropriate from both the council and the community to move on some of these things, including some of the things that, that, you know, whether they are straightforward or not are, are clear what the recommendation is. Things like the waiting period and other things. Do you have a sense you guys can mobilize and work on some of the issues because I think that part of the issue is, is responding in -- it's got to be appropriate for your members for you to be able to take part but we need to kind of show a sense of urgency and move on the issues. I want you to speak to the timing.

**King:** I recognize the importance, I mean, in particular of the issue of the timeliness of getting statements from officers immediately following deadly force incidents, and the commander and I have been meeting and talking. The recent case where the wait for the interview was five days was, was an abnormality in the length of time before the statements are taken, that historically as we look back, they have been between, between, oh, 24 and 72 hours, and I don't think very many of them have been beyond that. I know that the five-day wait and the most recent case focused the attention of the community on the length of time. We understand that there's an urgency about that, and what we are working to do in the discussion is to balance the, the rights of the individual involved. This is the parts that keep coming up and the need for accurate, timely information for the investigation. We are -- the commander and I are in a discussion about that, and, and in the next case, what I committed to him to do is to work with him to, to get an interview done and in a period of time that, that really works and responds to, to the urgency you have raised.

**Sten:** Do you think in terms of, of policy changes, that that's something that can be, be talked through in the next couple of months and brought forward at the same time you guys are doing that? I think part of it is my sense is that, is that there may be consensus on the issues. Some of the issues there may not be. Part of the process we need to work on is to find a way when there is an agreement between the different pieces of the puzzle to get a decision made so that the people feel like, you know, they are not -- when is this going to come back forward.

**King:** I like the chief's comment about a 30-day timeline. I mean, i'd like us to go back to have a discussion about this and the other parts of the report and come back to you in 30 days and have a resolution to the important questions you have raised.

**Sten:** That's terrific.

**Leonard:** If I could raise one issue. Good afternoon, robert.

**King:** Good afternoon, commissioner.

**Leonard:** That I am interested in and I would like you to chew on for the next 30 days, notwithstanding my urging that we do a more proactive labor management system. One aspect of the report that I am intrigued by, again, is based in a practice in phoenix, and that's the two-track



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approach that they take in interviewing officers. They, they -- understanding the constitutional issues you raise for the protection of the officer involved in the shooting. They interview based on, on the parameters of the constitution from homicide. However, they order the internal affairs -- actually, the officer to speak to internal affairs immediately, so they tape that interview, keep it separate from the criminal proceeding, but it does, I think, satisfy the public's understandable angst over interviews not occurring right away. If you don't have a response to that, could you add that to the plate of something that at least one of us up here is very interested in seeing?

**King:** I did go with chief berg and chief anderson to phoenix and did observe their shooting review board. I have read through the material. I think that we have to have more of a discussion internally. I don't know what the desire of the police bureau is along that line, but, but that's a model out there that's helping us in the discussion about this, and that's -- so I think that, that with, with more conversation, we can bring that back in the next 30 days because there were things -- my goal in all this is I would like to see the level of confidence that the community has and the police, or police officers in the use of deadly force increased through, through all of this, so there are some parts of that that are appealing. There are other parts of it that we need to kind of think through and talk through. But, I think it has some merits. So, we'll bring that back to you. I did have coffee with the chief this last tuesday, and he did signal that he does have a desire to have -- to engage officers at all levels of the organization more in the conversation both about this and other things, and we have been really, really both hopeful and optimistic and really enthusiastic about, about the chief taking the leadership role in the police bureau, and so I just think that we have got some, some work yet to do before we can be really clear about the specifics and the way I would like to be.

**Leonard:** That's very encouraging to hear, but, but i'm also aware that it's having been a part of the conversations myself, the proof is in the pudding, and, and so i'll be anxiously watching that. I would also like -- I was looking for the exact quote, and I can't find it, but it wasn't lost on me that the one part of this report where they said the police bureau just stood out heads and shoulders, and you probably know what, what I am going to say, above other organizations is the trauma intervention aspect and program of which robert -- first how I met him. He was that guy.

**King:** Right.

**Leonard:** I'm not surprised that that is the portion that stood out more than anything given my relationship with you and my respect for your professionalism. So, that's one of the reasons that I am so, so urging so much that, that this bureau command take an opportunity with this leadership and the police union to exploit their ability to solve problems and do good work. I think -- I really think the solution is in there.

**Francesconi:** Robert, just so I was clear when I asked the chief to kind of talk with online officers about additional recommendations. I meant that there maybe things in this report that are -- there may be additional things that are not in the report that could actually be added, which would result in less fiery weapons and less deadly force being used. I guess one thing that I would actually look at -- I would ask you to look at, if the statistics are right in the report, 75% of the shootings happened by officers with less than seven years of experience. So, the question of how, how training is improved and what role we can play with more experienced officers kind of assisting other officers, all those kinds of things are very, very critical from my point.

**King:** I think we have an incredibly hard working, courageous group of men and women with great conviction, who have a willingness and a desire to be helpful and that with, with improvements in training and policy, I think that, that -- and working together, that we can get closer to what it is you are talking about.

**Katz:** I wasn't going to say anything but let me raise -- first of all, I think that there is a bug in my office because everything that the chief said and you and I had a conversation reflected by the questions of the council -- that's very healthy -- I was kidding about the bug -- but that's very

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healthy that we all appear to be on the same points. There are two other issues, not necessarily covered by the report, but related to the report that, that I'd like to put on the table for, for some thought. One is it's a difficult one for you as well as for us, and that's the information to the public.

We go through this, this -- I call it a circus. There's a request by the media for information for whether it's tapes or discipline reports or reports. Because of some contract language or institutional history, as employers, we deny those. We deny them even when they are very significant to the community. On others that are not significant, there usually isn't a request, but the ones that are very significant. You all then know that, that it then gets appealed to the d.e.a., and we know what they are going to do. We look like people who are not responsive to the community and the d.a. Looks like he's terribly responsive and is willing to open up everything for the community to look at. So, you need to help us with that because it isn't that we don't want to do that. In some way, there needs to be a, an agreement with, with you and the chief on when that would be appropriate, and certainly when it's, it's an issue of great public interest. You know the d.a. Is going to say yes on some es no, but very few. I think that that's one that, that really colors the bureau as being not accountable. Not transparent. Not open or willing to share when we know that it is going to be, and there is a desire to do that. That's one. The other is something that, that was just shared by one of the council members. It's the training and the senior officers, and it's the whole coaching issue. It may not be that the best people are appointed as coaches to our first and second year officers, and I haven't had this conversation with the chief, and I apologize to the chief, but it's something we need to explore is who do we select as coaches and are they self-selected or is it something that you, you all agree on that these are the people in the organization, senior members of the organization who have expertise and who, who would be good role models, especially to help those that have been in the bureau for under five years and certainly those that just are entering the bureau. Those are the two issues that I think are related to accountability and good training and good practices. Ok. Let's start with the public testimony.

**Gabe Rivera:** I am gabe. I want to thank you all for giving me this opportunity to speak as a citizen. I would like to thank the police for the review process. I want to comment as a citizen on, on what I have seen as a citizen with police anger, people anger. I like this process of looking for solutions. Imp we need to look very hard the police are put in a lot of situations where trauma is brought up. They are given tools to deescalate the anger that can lead to brutality if not handled properly. Oftentimes, I think do I live in a fascist state? Are we a military state? Do we use weapons to, to oust people that we don't like what they say? I've been involved in activist movements and seen a lot of police brutality. I'd like to encourage more citizens -- citizen police communication. Look for ways to deescalate the problems within the community. One thing I highly recommend is stop the drug war. The drug war is a failure. It's essential to fascism. The \$500 billion that, that the illicit drugs create goes directly to fuel the military industrial complex. Farm hemp -- you guys have budget problems. Farm hemp on the clear-cuts. Quit criminalizing people. Quit artificially defacing the value of substances and quit creating problems. Find solutions. I can't blame the police. I can't blame the city council. All I want to do is find solutions and I hope we look for them. I know it's a tough job for the police and I know that we can find solutions where police brutality is not an us versus them thing. And I don't want to see anger in anyone. Let's look for solutions. I really appreciate your time. Thank you.

**Diane Lane:** Diane Lane. P.d.s. Cop watch. Evidence shows that bureau inadequacies left unaddressed by the independent police review are long-term systemic problems which a new chief won't be able to cure. Such issues have been brought to the attention of the city for years, including in 2000 when the mayor's work group for improvements to police oversight issued its report. That report highlighted examples of sloppy police investigative work, including deficiencies in a deadly force case examined by the former oversight's system's examiner. The city ignored this report.

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The work group informed council that a trained civilian investigator needed to review deadly force cases and that police expert, mark gisoner suggested such a person go to the scene similar to PARCs' recommendation. Again, council didn't listen. Had the city listened, we wouldn't have had to wait three years to hear that using gunfire to stop a moving vehicle is ineffective and dangerous. Had council listened then, kendra james might be alive today. Because the city has refused to hold the police accountable, there's no guarantee that the PARCs' recommendations will be heeded. Even if a trained civilian monitored police deadly force investigations, there's no guarantee that this monitor picked by city officials will be unbiased and fair. The new chief is already hinting that legal and contractual issues may hamper attempts to get immediate interviews of involved officers. Even though PARC points out internal affairs can take an officer's statement right away after a shooting but then not use it until after the criminal proceedings. The contractual problem stems from the city's failure to keep the police union's power in check during contract negotiations. As a result, the police union's overemphasis on officer safety and officer's careers throws public safety right out the window. According to a recent u.s. Civil rights' commission report, overemphasis on officer safety makes young officers prone to pull the trigger. Council's disdain for research and recommendations, many of which PARC validated, prompted a broad-based community group called "the citizens against police abuse," or "cappa," to ask for federal investigations. They plan to file a misconduct complaint with the civil rights division with the u.s. Department of justice in the next few months, which other cities have done and continue to do with great success. The city has had its chance. Now it's time to let the federal civil rights division do its job.

\*\*\*\*\*: Thank you, Diane.

**Merrick Bonneau:** My name is merrick bonneau I am a concerned citizen. Local activist. Police brutality victim, unfortunately. I heard a couple of, of things I would like to, to go over with respect to what, what the officers were saying, how this is going to be handled. It didn't make sense to me why, why they stated that there will be voluntary statements taken by the officers after a shooting or indeath incustody. An individual's life is important. It's the most important thing that we have. If you are not willing to, to make an officer who uses deadly force make a statement immediately after the action so that, that there will be no question as to whether or not he was talked to by anybody else or, or anything, I believe that, that you must make a statement. He has to make a statement, and he must take a statement. Otherwise, there's impropriety there. It also was stated that taking statements is not for use in trial. Statements taken immediately are not for the use of trial. Again, that makes no sense to me. Why would you take an officer's statement if you are not planning to use it as any type of evidence if there is any wrongdoing of the officer. That makes no sense, and obviously, that's not addressing the issue. The PARC report, which was identified 32 shootings and incustody deaths. The problems identified in the PARC report, not all of them are, are -- pertain to my case, but most of them are, are pretty much identical to my case. Officers not making reports even though they were involved in the use of force. Officers not being included as witness, even though they were right there on the porch at the time. A sergeant not looking at my identification, calling, calling the neighbors anarchists, telling the neighbors to go home and go to bed. They are not witnessing anything. I believe there are a lot of other cases in Portland where these instances, I would imagine, happen also. If you are only going to be looking at 32 cases instead of the thousands you receive, you are not looking at the problem. You are only looking at a cumminses which, which is not going to help anybody overall. Finally I would like to state on october -- on october 24, 2002, I received a letter from, from the u.s. Justice department and the civil rights' division. I requested them to do a criminal investigation amongst -- regarding the officer's conduct. They state that we have carefully reviewed your complaint. The federal bureau of investigation has been requested to conduct an investigation into this matter. You can be assured that if, if the

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evidence shows that there was a prosecutable violation of federal criminal civil rights statutes, appropriate action will be taken.

**Katz:** Your time is up. Did you want to finish?

**Bonneau:** I just have one final thought. So, this investigation is ongoing and it's going to be happening now. I will also be including what, what -- how the i.p.r. And c.r.c. Handled my complaint as well as how the city council dealt with my complaint.

**Katz:** Thank you.

**Katz:** Who wants to start? Go ahead and start.

**Helen Sherman:** Thank you. My name is helen sherman. I am a member of the naacp. I am not here to speak for them. My disclaimer is that there is only one person that can speak for the naacp, and that's the president, unless the request requests me to speak, so i'm here as a parent of an x generation, and to also be recognized as one of the parents, just one of the many parents that go to bed and wait for that 24-hour call to tell us that our children are dead. There is fear on both sides. It seems that the parents' fear is that they are going to lose the children, but we also have law enforcement officers that seems to be unable to speak up, also. So, there is a lot of intimidation going on in our community, and the worst part of it is that, that the parents lose their children. Citizens should be granted the same safeguard as law enforcers. They are human, too. We should not feel that law enforcement should have a better avenue or a more expensive avenue or a higher avenue or a way of getting representation than the community, the citizens. Why is it that, that they, they are supposed to be -- the law enforcement is supposed to be represented, the citizen's servant and they are on the totum pole above us. We are held out as being nothing? The officer don't even tell stories like not tell the truth. We have a factor here that, that has not been well represented, and I have been here many times, and I lost it most times. But, I am saying the fear is still there, and unless something changes on the streets in our community, then there won't be no change. I have not seen a change. Lately. A long time ago, but I really am praying and hoping that we receive one. You know, we are in need of real truthful help, and that help will only come from the heart. If we are going to hide behind words and we are going to hide our feelings, we are not going to let the truth come out, then it's always going to be this way. We cannot change if all of us don't change. We cannot take a war and make it a good war when it's already failed. Thank you.

**Stephen Edlefsen:** My name is Stephen edlefsen. I feel strongly enough about the purpose of this meeting to speak. I think officers are citizens, and I think that they have rights. People talk about rights, and it's kind of scary. They have bad people around them. People who say bad things and look bad and don't want to talk to the cops. It's really awful cops, you know, killing them in the jail. That's really horrible and that's not acceptable. I don't have really much to say about that. I know it's true. I don't believe that anyone here believes that it's not. I've heard talk of talk and I have heard talk of reviews and I have heard talk of, of ways of doing things, procedures. I think that that's all a waste of time. That is not the way to do it.

**Katz:** Thank you. Go ahead.

**Tycian Bonneau:** Thank you for letting me speak. I've been here a number of times. My name is tycian. I've been involved with my brother's case. Actually today is the fourth anniversary of his brutalization. I don't think it's anything to celebrate but I think that it's important. For the last two years i've been assisting the mayor directly at city council meetings going to the district attorney's office, going to the city attorney's office, and the i., ad. Investigation, I was present during that recording with the crc and ipr meetings. The one thing that I have noticed and seen without a doubt is that officers and people from the Portland police bureau will admit and say openly and have, in i.p.r. And c.r.c. Meetings that police policy and procedures are, are often not followed, but Oregon -- the police general orders are on which not followed. The PARC report mirrors that and says that, that these officers are not following procedure. These officers are not following policy. They are

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not following their general rules. The officers are not doing their job. I feel extremely strongly in the fact that, that this is probably the scariest thing about it is that these are only 32 shootings. You people have, have thousands of citizens in this city who write reports, who make complaints. Unfortunately, because of this concentration of the 32 shootings, 100% devaluizes the rest of the people. Sorry, son. You weren't good enough to be shot. You are not important enough to be shot and investigated. That's what that is saying to the community. The c.r.c. Members that resigned stated the system is a sham. A sham. Unlike the the jurors that got to witness all the evidence and see all the case evidence that got to listen to the seven officers change their testimony during the trial and came back with an innocent until -- came back with innocent. Prosecuting attorney for the district attorney said if you find for the defendant you are saying all, all seven officers lied. We took that information to the district attorney. The district attorney informed us that his case wasn't evidence. How can his case not be evidence? How do you charge somebody with perjury before they get on the stand? When they get on the stand, they are under oath. It is the district attorney's prosecuting attorney that said to the jury of six people, if you find for the defendant, you are saying all seven officers lied on the stand. I would like everybody here to take just a second to really consider that. Innocent until proven guilty is a cliché's. The district attorney says. Fred lenser says, innocent until proven guilty too cliché? What does that mean to all the people that go to court and as the judge in his case said, instructed the jury, this defendant is innocent until proven guilty. Innocent until proven guilty is not a cliché.

**Frances O'Halloran-Haney:** Hi. My name is frances haney. I am a native of Portland. Born and raised. I am happy to see that there is a police chief who is also a native of Portland, born and raised. I am concerned, though. He's very aware, I am sure he is, of how long we've been dealing with these issues since the early 1970's. I have been. I've been to many, many, many forums where these same issues have been discussed, and hopefully, this report will generate some changes, hopefully. I've been all over the, the country and Portland, my home town, is probably one of the most beautiful, but right now it is uglier than ugly because of a mean spirit, and the mean spirit I have looked at seems to be generating from an insecurity of greed, which is using bigotry and racism to oppress people in our city. Of course, all of the recommendations, the PARC's recommendations should be implemented. I'm curious as to why people are jumping on the statement that there was no evidence that, that racism or malicious intent were involved. There can't be if nothing is written about it. On page 110 of this report, when they are talking about interviews, the statement says -- "a related problem running throughout the 34 files were reviewed was that investigators focused too narrowly on the actions and decisions made at the time of the officer's use of force. Investigators often failed to thoroughly question officers about how they entered into or even created situations that subsequently required them to use deadly or significant force." there's no evidence because no evidence was provided. I also believe that when we are going to talk about writing reports, that perhaps if a situation is serious enough to warrant an officer unholstering his gun, then it warrants a written report. Whether or not that gun is discharged. To put it another way, if an incident isn't perceived to be serious enough to write a report about, then it most definitely should not be serious enough to, to draw a weapon. The collective bargaining agreement -- I guess it's going to be discussed soon. Perhaps since the u.s. Bank employees and trained engineers when they have accidents have to take urinalysis test for drugs. Perhaps the people that we have given the power to enforce drug laws with semi-automatic weapons should be able to pass the drug tests, also. One more thing, I want the, the council to look at, at their role -- the buck stops right here. We have in this city some very racist, unconstitutional policies in effect. I'm thinking of the surveillance that goes on in northeast Portland on a constant basis of citizens and also the unconstitutional drug-free zone that encompasses an entire residential community. We need to look at these things and focus the resources, if we really don't want drugs in the community,

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stop harassing young people like kendra james and go after -- turn it around. Go after the ones making profit from, from this, this drug trade. This is, you know, where's the black book found in northwest Portland?

**Katz:** Thank you.

**Dan Handelman:** Hi. I'm dan handelman. I'm with the Portland cop watch. Post office 42456, Portland, 97242. I thank you very much for ordering this report done. I want to remind the council and community that this did come under pressure. That you were considering the i.p.r.'s creation at the same time the jose mehia case considered outcry in the community, and, and the auditor did not want to include this shooting and death in custody at all, and it was the community's demand, and we thank you for, for respecting that demand and allowing the report to come out. I would like to echo what francis just said that, that even though there's, there's a statement that there's no evidence of, of racism, there is no explanation as to why african-american and latino suspects are shot at twice the rate of the proportion to the general population. There's not even any kind of question raised about that in this report, and considering we were able to meet, meet with, with the PARC people before they started, i'm, i'm distressed it wasn't part of the report. The Portland police association similarly they need to be held accountable, and we recognize the amount of power they yield in the city, and we hope that they will be kept in check. I think it's really important to remember that when the mayor's work group that diane talked about was in session that the p.p.a. Refused to let the board look at the shooting incustody cases because they said there was adequate review, and it's clear from this report which, which covers the time period during which we were having that discussion that that wasn't true at that time. That there was not adequate oversight, so we want to make sure that the citizens get involved in this, and, and I would really encourage you not to create another use of force board unless it is inherently connected to the citizen review committee and the i.p.r., so you should not create another level of review. I have to agree with, with the police on that one because we already have a citizen review board, so if you are going to disconnect all the other kinds of, of police accountability issues from deadly force cases, you are not going to get, as almost everybody here has said, you will not get a comprehensive overhaul of the policies. The shootings cases start as traffic stops. They start as people going to people's homes. They end up as shootings, so if you disconnect the other minor cases of even rudeness from the shootings, you are doing a disservice to the community. I also need to point out that the missing photos that came out as a, as a result of a leaked memo from the i.p.r., turned up because that memo was leaked, and the director sat on that memo because he didn't want it to be public knowledge the photos were missing, but it's only because that information came out that those photos were surfaced. This is in the PARC report that, that the, the identification division found those photos. So, I think it's important that the ipr and auditor be reconsidered for what they do, what their role is. Grab the mike closer to you.

**Lynetta Jones:** Hi. My name is lynetta jones, and I am a victim of, of police shootings. My son was killed by the Portland police in 2002. Some things I have heard. One thing I really don't like is that when the, when the police officers do the shootings, they are paid to, to be off from work. They are citizens just like we are, and we wouldn't get paid for killing anybody, being off from work, you know. I think they should be, what I would really like to see is I know that after police shootings, you file civil suits. You file this -- but particularly what I would like to see is punishment to the police officers that did that, you know, and you said something about the rookie cops. Well, it wasn't a rookie cop that, that -- one of them was, but the main one, he wasn't a rookie cop. He'd been on the force for like 20 years, and, and my justice for that would be more than anything in the world to see them be punished instead of being paid for being off, you know, rather than getting -- I rather see them go to jail, like any other human being would, if they killed somebody. They slaughtered my son who had no gun. Thank god you fired the chief of police

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because I have first known experience for knowing he's a liar. It's not hearsay, it's what he said to my face and knowing he's a liar. So that's one good thing that came out of all of this, and I want to congratulate foxworth, who was one of the supporters and three other people sitting with him, but like I said, out of all this, I wish that they could be treated like we would had we killed somebody.

**Katz:** Thank you.

**Robert Larry:** First, I am the president of the naacp. I had -- I would like to submit a letter, and I will read the letter to you.

**Katz:** Grab the mike closer to you. The naacp would like to express our appreciation to the city council for their recommendation for this outside independent review of the Portland police bureau.

Would also like to, to thank the police assessment resource center for returning with a credible report. As the naacp read the Portland police bureau response to the 89 recommendations made by the police assessment resource center, in their august 2003 report on the Portland police bureau officer-involved shootings and incustody deaths, we did not see 92% as stated in the accompanied letter directed to the auditor, gary blackmer. Rather the reading of the recommendation response points -- represented -- i'm not going to read all of the points and how we went through and evaluated. It's in the letter. It's pretty lengthy, and it takes quite a bit of time however, we do have some, some recommendations --

**Katz:** Let me -- I will give you some extra time. Carla, will you copy the letter and make sure we all get it. Ok.

**Larry:** Basically, it looked as if it was a play on words to us. The naacp strongly recommends that one, the recommendations by the police assessment resource center in their august 2003 report be instituted. Two, a time line for formalizing these actions be presented to the community, within two months from this hearing date. Three, the police assessment resource center be hired after this time line is formalize to have instituted and monitored the changes in early 2004. The police bureau reevaluate the cases of officer-involved shootings, incustody deaths from june 2000 to the present time using the criteria recommended by the police assessment resource center. Five, the police assessment resource center would be hired to do an evaluation on the officer-involved shootings and incustody deaths from june 2000 to the present time and make their findings public. Basically, we're looking for, for a parallel evaluation using the same criteria. The naacp understands that there will be cost incurred for the recommendations, but we feel that there's no greater cause than the loss of life. Thank you in advance for your support of our recommendations.

**Katz:** Thank you.

**Julie Smith:** My name is julie smith, and i'm just, just not as an investigator, not with the naacp, just as myself. Last night my daughter walked into the kitchen, and she says mommy, why are you crying? I said because people have forgotten how to tell the truth. And people are getting hurt, and I sit here and I listen and I am thinking, am I not sophisticated enough to understand what this conversation is going on here? I'm not hearing any conversation. I'm not hearing words. I'm hearing side steps. In order to have trust, there has to be truth, and if the trust is, is not there, then there is no truth. And if you don't have truth, then you have lies. When I was being raised with kind of the political atmosphere, it was, it was -- I was taught you don't -- you can avoid telling the truth or not telling a lie by telling the white lie or something, but anything that is not the absolute truth is a lie whether it's side stepping, ignoring it. And we can talk about all of these things, and then the next meeting and next meeting but until we all learn how to tell the truth, it's not going to go anywhere. And I found this yesterday. This was a quote from officer tom mack, who used to be the former -- the union leader about the officer with 20 years who had to write an anonymous letter outside of this department because of two officers that, that committed an assault, went offduty, and the grand jury concluded, quote "the bureau would have buried this beating." tom mack, a guy of his caliber and rank didn't feel confident enough his bureau would react the way it's supposed to.

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To me, that screams loudly there's something wrong in the upper echelon of the Portland police bureau, and it scares me. -- scares me. In my home, there is only one thing I hate, and it's a lie. The reason that I hate lying is because it destroys. It hurts. It breaks down. All my children know it and all the other children that I have raised. It doesn't exist in my home because I don't tolerate it. The mayor can't tolerate it on any level. On any level, and that message goes all the way down to the bottom, and when it's not tolerated and the truth is supported, and that's the majority? Then we will move through it. I don't want people to be afraid of offending people or hurting people's feelings, just tell the truth. Thank you.

**Joe Bean Keller:** My name is Joe Keller. I'm the father of Dante J. Keller who was shot in the back by Portland police on February 28, 1996. The report did not go back to 1996. I'm not sure why and who addressed the time frame of that, but what I see is a problem that basically the mayor -- you are in charge of because as being the commissioner of the police department, the buck stops -- it starts with you. Anything that takes place that trickles down from that is a part of you. If you did not have enough time in your 10-year term to deal with the department and at the highest level and necessities, you should have hired a commissioner of the police department to come in and take care of that instead of putting you in the position of a chief because, because chiefs sometimes they don't have the abilities to do all the things that are necessary, and if someone is not monitoring the whole situation, there are problems. Because, and I guess where I go back to my son's case because I have proof, and I state this right now in front of the press and everyone, that my son was murdered. I have proof and evidence that, that is all police evidence that was suppressed by my attorney as well as city attorneys to me, that are actual audio police tapes, videos, photographs, as well. They are being put into a major presentation that would actually be released on a local and national level shortly. I've been holding this information for over four years after my attorney was dismissed as my attorney by the judge three months before it was time for my case to go to court. I did not pay him. I did not pay my attorney for three and three quarters months of service. Someone else did. See, there are some facts there that people aren't dealing with, and the facts are going to have to start coming out now because we are white washing this whole situation because everybody is dealing with a blanket that covered the blanket, but if we don't get down to the meat of this stuff in which I am going to be presenting and dealing with a specific case, we are not going to get to the answer to the questions at hand. If the city does not take the responsibility and accept wrongdoing for the things that have taken place, like I say, if there were 89 wrong doings or things that were a malfunction throughout this period of 2000 from, from this period, that means there is some responsibility that should have been taken as far as what had happened to some of those people who have lost their lives, the family members, and to the officers who have been put into grave danger, as well. So, it's just not for the public, itself. It's for everybody that was a part of this far right here. And so, all I state now is that whoever comes in as the new mayor, and if this new mayor, what their job is, is the commissioner of the police department, please stay more focused and help and assist Derrick and the others who may need that assistance because if it's not guided correctly, we're going to run into these problems again. Thank you.

**Sten:** Mayor Katz could I make a quick statement out of order? I want to apologize to the audience. I have a family situation I didn't anticipate and I am going to step out. But I am going to support this. I think this is a chance to move forward. I'm looking at Chief Foxworth, who I am very glad is in place, and I believe we will hear back in 30 days and make progress. I also would just state quickly going back to the original nexus of the report as to whether or not we should have citizen overview of deadly force incidents, as I did then, I still believe that we should. I think we need -- I need more work to look at the model and figure out the right way to do it. But I would like to, I don't expect that to be done in 30 days. But, would like to continue to go down that path and find a way to do that. This is -- this hearing today and the work of the PARC report has actually



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convinced me more than ever that that's a role that we have to find a way to put together, so thank you for your work. I apologize to the audience.

**Katz:** Thanks. Let's continue.

**Katz:** Go ahead.

**Teresa Teater:** My name is teresa teater, 595 main street, apartment 52, Oregon city, Oregon. I'd like to read the 14th amendment of the united states constitution. All persons born or naturalized in the united states and subject to the jurisdiction thereof are citizens of the united states and the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the united states nor shall any state deprive any person of life, liberty or property without due process of law nor shall deny any person within the jurisdictions the equal protection of the laws. I have had it with the kendra james' issue folks. There were three officers that night at that scene. Two of the officers were standing back there while that car was idling and going uphill and I used to drive a dump truck for 15 years, and I know that a vehicle going uphill can barely idle going uphill. There were three guns there. Two of those guns could have shot out the back tires of that vehicle, and, and kendra would have been left alive. I am going to show you a document I filed with hardy myers -- excuse me, september 2. I have asked hardy myers to, to charge officer mccollister with felony assault and investigate -- and death of kendra james, fully investigate and charge him with felony assault and the death of kendra james. And everything in his power and all the, the statutes, everything is on this paper, and he has the full authority to take this over and do everything possible to rectify this woman's death. That's all I have to say on this matter. The paper that I gave you, mayor Katz, last friday before I held a press conference out in front front. I told channel 8 I was going to do this. I meant it when I said I was going to do this. The paper I gave you regarding the young ladies from Oregon city that came to me were the, where the officers threatened them with tazers two weeks ago in this city. They were not drunk, and they were threatened with tasers in this city. We passed a law on may 16 in this state two weeks after, after kendra james was killed that said the use of deadly force would not happen in this state any longer without, without, without proper chain of command, and this young lady that came to my apartment last week, I had the officer's name from the ticket, and she has to go to court on september 12. I'm going to be there, and, and one part of the ticket she's guilty of. She was not drunk. Detox said that she wasn't drunk. They said, why did you bring her here? The officer had to have the senior officer come and help them fill out the ticket line-by-line. He didn't know how to do the ticket, ma'am. And that was two weeks ago in this city. She's from Oregon city. This happened here in Portland two weeks ago. Under chief kroeker, and this was a rookie officer. This is going to stop, ok.

**Scotty Fairchild:** Good afternoon. I'd like to thank the council for taking its time as far as hearing testimony. I am scotty fairchild. I work at the botanical gardens, and I have taken time off to hear the things that have been said. I would like to welcome chief foxworth. I am hopeful will there be changes in policy and procedures in the Portland police bureau. I have been impressed with the dialogue between the city council, the city of Portland police department and the union. I realize it's only words. I hope to see action from this. I will be more impressed with the citizens who have taken time off from their schedules to address you today with their concerns, most which I have heard. I've been very impressed with. I think it is things you should take true to your heart, as far as making changes because people are coming with a lot of expert testimony. I personally will support any changes in the city of Portland police policy and procedures. I think we all know there has been a lot of documented failures over the last several years. We can take a lot of time as far as identifying those. I don't think it's worth the time today. However, I think it was even someone in the police bureau who said that some of the public has lost confidence in the police bureau, in the leadership of the police bureau. I am one who definitely agrees with that. I think that, that I was

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very fortunate to be born and raised in this community. At that time, I saw the amount of serving and protecting was being practiced. We knew our police officers. We could trust our police officers. We are not afraid of our police officers. Our police officers were not afraid of us. I then had the opportunity to travel around the world for 11 years. Traveled every continent there was. I went from many third world cultures where people were not wearing shoes. The only tools which they had were, were machetes. I saw law and order in many different ways. I felt safest in cultures where people, where the people hired to protect us were not carrying weapons. I felt safe. The citizen -- I felt safe. I have seen in the last three or four years in this city since I have come back 13 years ago, we now have given officers more surveillance tools. A lot more weaponry. We have given them the patriot act. Given them many more tools as far as limiting our rights, and creating fear, aggravation, intimidation, etc., within the citizenry. I think that anyone who serves in the alternative community, whether it is anti-war, a homeless group, is realizing that we are guilty until proven innocent. We are continually being hazard, aggravated and not listened to. I think that you witnessed things through, as commissioner Leonard said or someone said about the w.t.o., or the protest in May. The failures. I think we saw it during the anti-war protest and critical mass. I think it's up to this council and chief Foxworth to take command and renew confidence between the city of Portland police and the citizens because we have lost a conference. I would like to make some changes. I have three seconds left. First, I think they failed to address a racism in the PARC report. Second, I like to see any review of police, police deaths in custody being done by an independent professional detective not within the bureau, whether it's California detective or a state detective, and finally, I think between the recent things between the i.p.r. And c.r.c., we lost confidence in the police reviews to be handled as far as what they have been doing.

**Katz:** Thank you.

**Herb Chow:** My name is Herb Chow. I live in Portland. P.O. 16516. I want to start off by saying that I hear a lot of the flak and a lot of the criticism toward this council, and you may -- I want you to know that I support a lot of the things you have done. I think if one legacy can be said about your tenure is that you don't let Portland become like a New Jersey or a New York where there is so much police authority that it makes what happens here when it goes wrong look minuscule. There have been some concerns that I have had. These were actual personal experiences. First I have heard about them, but then I have actually seen it first hand. I am an insurance agent in the state of Oregon, and at the time I was stopped. I was so insured. The police officer who pulled me over didn't have probable cause. The officer pulled my car over. He asked me, started saying to me, why am I in a rush when I wasn't in a rush. I was just driving along. He then proceeded to order a tow truck to have my car towed while I was looking for my insurance card. The officer then had me get out of the car and leave me things in the car. He cited -- he began to go through all of my things. My clean laundry, taking my things, throwing them out on the street. He said that the city council authorized them to do, quote-unquote, inventory before the car went in. Now, I asked him, repeatedly, I called 9-1-1. I called to have his sergeant come by. There was another senior officer who came by. In every one of these situations, the sergeant backed them up and said, this is one of my best officers. This type of activity must stop. I called 9-1-1 and finally I got the police officer. They kept on telling me, don't call. I got the police officer to talk to them. It's on recording. I asked them, do not go in my car. He walks over with a piece of paper, a little piece of cellophane, and what triggered the 9-1-1 call when he walked over to me with a little cellophane, it had an old muffin in it. He walked over and he says, is this drugs? And it was obvious he was doing an illegal search and seizure. He wasn't doing an inventory to take my car in. He knew that there was a license plate on the front of the car. He touched it. He handled it. Still, he had my car towed. I said let me look for my car. He refused to let me look for my card citing again that the city of Portland demands that a car be towed, demands a car be towed every time there's no proof of

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insurance in the car. This type of thing is uncalled for. There was another incident, the other incident was, was where the police officer pulled me over for allegedly reckless driving. Finally it went to trial. The officer got caught lying. There was no consequences to the officer, even though he got caught lying, the judge could not give me a, a reckless driving but the judge didn't go on to charge him with perjury when he lied on the stand. When this type of stuff happens, and it is true, a lot of our, a lot of our contact and a lot of the things that happened at that level. I wanted to say, you know, putting chief foxworth is a good move. Reinstating and working on community policing again, and I can trace a lot of the problems that we have now, go back to when we, we kind of slacked off on community policing. Thank you very much for your time.

**Katz:** Anybody else want to testify? Come on up. And then chief foxworth, if you want to come up afterwards or your team to respond to anything that you heard or, or if there is any additional information you need from any of the witnesses, share that with us, please.

**Martin Gonzalez:** My name is martin gonzalez, president latino network. I'm also program director for the american friend service committee. My apologies for not signing up earlier.

**Katz:** You don't need to sign up.

**Gonzalez:** One of the things that, that, you know, that I was here, you know, when, when the report was, was first, first introduced to the council and one of the things that, that was stated by chief kroeker that I sort of, of stuck to me is that, you know, we have been talking about police accountability for, for -- it's one of those things we've been talking about a long time. I think that -- I hope that with this report, we go beyond talking about it and we, we begin to, to look at more of the recommends before us. One of the things that, that i, that I think was mentioned by dan handelmann is that we met with the PARC folks prior to this. We expressed some of the concerns, you know, that, that, one, that there are certain cases that were not being looked at. One was the poot case, the other was the hemming case, and also some additional shootings that were not going to be looked at in here. Among them was a shooting in terms of beanbags, being shot to young people, african-americans, primarily, in 1998 when the chief got scared of the young people out there. Because I think that that, that also, you know, looking at some of those cases, also, provides an opportunity to look at in regards to, to the -- how the police bureau dealt with the communities of color. To then look at this report saying that, you know, that there was no reel bias when there is no presentation on this report in regards to what criteria was used to determine whether there was a bias or not, I think that, that there still is a concern for me here. The other thing that concerns me in regards to how we look at this whole thing in terms of the use of deadly force, you know, on page 3, you know, of the report it states, "no set recommendations can eliminate the need or locations for law enforcement officers to use deadly physical force to defend themselves and others." I think it says how are we going to look at the whole thing to begin with. Robert king helped us. The police union stated a little bit earlier, you know, that there's going to be full cooperation when the next incident happens, in regards to the interviews and those things, trying to speed up process. At least that's what I understood. My hope is that we aboard those things in terms of the next, the next time, and I think that, that this report has a tremendous amount of information, particularly in terms of the training of personnel and also I think improving strongly in the need to improve the supervision and management of the organization so that we do not place officers at risk and the community at large.

**Katz:** All right, chief, come on up. Bring anybody else. Ok. Did you hear anything that you want to comment on or make some final comments and then we will vote to accept the report.

**Foxworth:** Mayor Katz, my name is derek foxworth and I am the police chief of the city of Portland. Let me first say that, that we have heard the comments and concerns of citizens and the city council. It's obvious to restore and improve the, the citizen's confidence, we must demonstrate that we are committed to change and improvement. To be successful, though, it is important that

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the process involves all key stakeholders, commissioner Francesconi has mentioned insuring that officers have some involvement in reviewing the PARC recommendations. Commissioner Leonard mentioned that it's important that labor, labor unions also be involved in the recommendations as well. I am committed to support and uphold the values of community policing, which include service oh, partnership, problem-solving, and most importantly what we have heard today is accountability. I can assure you that we will move forward on implementing the recommends and keeping you advised weekly on the progress that's being made and coming back to the city council with the progress report.

**Katz:** Thank you. All right. Roll call.

**Francesconi:** I don't think it's overstated --

**Katz:** I need a motion to accept and then a second.

**Francesconi:** I will move to accept.

**Saltzman:** Second.

**Katz:** Ok.

**Francesconi:** I don't think we are overstating it by saying there is a crisis in the community here that we have to address. But, it's also, I think, fair to say that we also have, have a great opportunity now, and collectively we need to seize t first we have a new chief. Second, we have some specific recommendations to kind of rally around. Third, we have the tension of our citizens who are really paying attention to this. Fourth, is that, is that I think that we have, we have caring citizens, but we also have, have, for the most part, terrific police officers. This is not new jersey or, or, or new york as was said. Chief, there's kind of four -- three bottom lines for me that will measure, and I have said them -- said them already, but there is three bottom lines that we will measure whether we really act on this report, and that is that there has to be genuine citizen review and there has to be impartial investigations, and we have to learn from each episode. The first two are fundamental to who we are as a country. That's what other democracy is founded on. We don't -- we treat all, all people the same under the law, and we believe in civilian oversight. The third issue just learning from each episode is just good business practice, and it's practice, for the most part, that the Portland police bureau and the city of Portland already adopts for some reason, which I still don't understand, we haven't been doing it here. So, these are just, just the three fundamentals. I do think that you are a terrific selection as a chief because what we also have to do is, is bridge this, this divide between the officers and the community and you have walked both sides of that. I am very hopeful that we can do it not only because of your leadership, but because of something that robert king said here earlier. Which was it's in the union's interest and the officer's interests to improve relationships with the community not only because they need it to do their jobs, but that's, that's what they care about as well, so I think that that gives us a great opportunity here. It is also important that we don't set you up for failure by, by either expecting you to be the bridge all by yourself or for the rest of us not doing our part in this. These issues are engrained in police departments across the country. They were there before chief kroeker, and in fact, I wouldn't feel -- I do want to also, again, point out, as you have, that all of these episodes, these incidents occurred before he was ever the police chief, and I also believe that he was focused on improving the organization, and you can do the same and add further emphasis on community policing. But, I think that we all have to do our parts. The testimony I heard today about, about bringing in the f.b.i. And the federal government was interesting to me. I think that, that it is, it is perfectly appropriate for every citizen to exercise all legal avenues to pursue things. We didn't wait for federal intervention. We acted on our own. It's also a little interesting to me that some of those same folks don't want the Portland police to cooperate with the f.b.i. On some investigations of terrorism regarding our own citizens. So, anyway, the point, we were open on this, and we're going to learn

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from it, and we are going to make sure that these reports are implemented. It's the right thing to do. Aye.

**Leonard:** Well, I just don't know quite what to say. Or how to say it. I have a number of thoughts, and, and the comment made by commissioner Francesconi is we don't want to set you up to fail is one that, that is circulating around what I want to say. I am struck by the fact that, that individuals and organizations oftentimes try to discover where their problems are outside of themselves, and oftentimes those of us on the outside view that it's within yourself you find your solutions as an individual or an organization. I am worried that, that although I want you to succeed and I know that the community wants you to succeed, that not looking within the organization and taking the strengths of those who may not have as many bars as others and exploiting those and taking advantage of those will make your job harder. I just happen to see Robert King in the hall, and he said, I really want Chief Foxworth to succeed, and that's just a big deal to have, to have a union say that, I think, and the president of an association, and I'm seeing a window of opportunity here. You have to do things different, and in the conversations that I had with Chief Kroeker, frankly, the chief said to me the same thing you said earlier, which is yeah, I am interested in listening to the employees and talking, but that didn't happen. I hope you take the, the idea of embracing a different management style and structure and bringing it to the Portland police bureau because I know that you will succeed because everybody wants you to, and, and if you trip, we will catch you. It's only when people are doing things that cause problems they trip. They just let them fall. And I don't want that to happen, and I want you and the bureau to succeed. I care, as you probably know, a lot about, about the police bureau and officers and I know that they want to do the right thing, and under your leadership, I think that if you do things different, that that will happen. Aye.

**Saltzman:** Well, welcome, chief. This report certainly does crystalize an agenda that you have, or at least -- well, certainly the next 30 to 60 days, but well beyond in terms of bracing the organization that you now lead and bringing that organization forward with the changes that are necessary to, to respond to this report, which, as I said, really crystalizes, I think, things -- the need to change. But, I also, you know, am fully cognizant of what you said in your opening remarks that, that, you know, we can't lose sight of the fact that they were, there were over a million encounters, citizens have with police during the same period of the 34 or 32 incidents. It's also a context that we can never lose, either, and we have heard -- we have had, I think, constantly had to put our shoes in those of officers and it's impossible for us to do because we're not there. The adrenaline is not flowing and we are not forced to make the quick decisions that officers must make. It's a very trying job. It's a very taxing job. It's very emotional, and it's a very dangerous job, too. And I will never try to second-guess, but nevertheless, as a member of the city council, and, and as a review body of sorts, we have to make judgments about, about officer behavior at various times, but I think that it's important for us to bear in mind and approach the issues with the right perspective, and I will try to not -- I will try to maintain that balance and perspective as I work with you and the entire bureau to embrace these changes and to make these changes to truly, you know, make our citizens proud of the bureau, as I think we all are proud of the bureau, too. Aye.

**Katz:** Your plate is full. This is a big responsibility, but unfortunately, there's more for the chief to do than just respond to the PARC report. He's got a bureau that he has to manage and administrative issues he knees to tend to that need tending immediately, so there's a lot for this chief to do, so I thank the council for providing him as many safety nets to make that job a little bit easier. It's probably one of the harder jobs, being mayor of the city and police chief probably the two hardest jobs in the country. I say in the country. For a lot of reasons, and many of them, many of you won't understand nor a lot of people who testified won't understand, but it is very difficult. One of the things that the chief did say when I met with him was what some of you raised, and that's why I said I thought my office was bugged. There are street officers who are very savvy and very

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thoughtful and have given the, the serious thought about the policework and where, where we might want to change and do something differently. We ought to tap into those resources. They are officers who are highly educated. They have given thought and discussion with their peers about the work they do every day and every night. They have suggestions that I had not heard before within the 15th floor, and so I think the fact that the chief is very interested in bringing officers from the street as well as some of their supervisors around the table to say, are there any other ways that we can solve this problem. Rather than saying no, it can't be done. Is there any other way to do it. I know that, that chief foxworth will get that done. Let me comment about the PARC report. It is easy for experts, some of you might say so-called experts. Others call them experts to come into a town and write a report about a bureau. Without clearly understanding all the history of the bureau and the nuances and making recommendations, and they are good recommendations. I'm not -- I don't want to underplay that. But, the most important thing is to find out if, if changes will provide sound results for the organization. So that if we look at models in other cities, we need to ask the question, is this going to give us the results that we are looking for? Whether it's a better police organization, whether it's less shootings, more, more accountability, citizens' perception of their police bureau -- it is the results that you really are interested in. And so I hope that as we, we review some of the more difficult questions, and there will be a handful of some issues that are going to require some further discussion and review that, that those are the questions that we ask about the results. Will we create a better bureau. Finally, I don't know how to say it, but over the last couple of days, I think that what I worry about most is that there is a constituency here that shows a resentment and a blame on minorities, and I really worry about that because that's the tension, that's, that's the harm that can do us all in. Even though the chief is a member of a minority group, I know that he'll be able to bridge or at least will work very hard to bridge those -- that part of the community that really has some concerns about, about what you heard today and about, about the minority community being listened to by the city council only and having them ignored. That really is of great concern to me if we are going to be a united community. So, having said all of that, I wish you much luck. You know you have my support, and, and you know you have the support of the city council. You have the support of the citizens in this community, and I hope all of them will give you a chance to show what you can do and help you along the way, so thank you, everybody, and I will vote aye. Thank you. We stand adjourned.

At 4:05 p.m., Council adjourned.