

Parsons, Susan

From: Griffin-Valade, LaVonne
Sent: Tuesday, February 18, 2014 9:18 PM
To: Parsons, Susan
Subject: FW: Testimony on Council Agenda items 159 and 160: New CRC and PRB members

I don't believe Mr. Handelman will be attending Council tomorrow to present this testimony, so I am forwarding it to you for the record.

From: Portland Copwatch [copwatch@portlandcopwatch.org]
 Sent: Tuesday, February 18, 2014 7:54 PM
 To: Commissioner Fritz; Commissioner Saltzman; Commissioner Fish; Commissioner Novick; Hales, Mayor; Griffin-Valade, LaVonne
 Cc: News Media
 Subject: Testimony on Council Agenda items 159 and 160: New CRC and PRB members

Testimony on Council Agenda items 159 and 160: New Citizen Review Committee and Police Review Board members

Members of City Council and Auditor Griffin Valade:

We offer this testimony on the Council's consideration Wednesday morning to appoint new members to the Citizen Review Committee (CRC) and Police Review Board (PRB).

As we've said in the past, we offer these comments from the point of view of an institutional analysis and have nothing personal for or against any of these candidates.

What's more, we really didn't have a chance to meet any of them, even though they all technically were required to be at the Police Review Board trainings that began in January. We attended the first session and the facilitator didn't bother with introductions. It seems that if the PRB and CRC are the "eyes and ears of the community" on deadly and excessive force cases, there should be more opportunity for the public to meet and interact with the members.

Here are our general observations:

The PRB nominees include a commercial banker, a lawyer for Multnomah County, a lawyer who does debt collection, a business lawyer, and one man who works with the PPB crisis response team and heads up community safety in the Cully neighborhood. Since Council is not required to read the full applications of PRB members (even though you are required by 3.21.100 [A] to read the CRC applications), we don't have enough information to see why these people were chosen, as they seem to have more in common with wealthy elites and the City itself than the people who are often victimized by police misconduct.

The current 10 PRB members include 7 men and 3 women; the new nominees (four men, four women), if accepted, will broaden the pool to 11 men and 7 women.

The five nominees for the Citizen Review Committee include two lawyers, one who works for a business law firm, one consultant who went to Harvard Business School and a basketball business owner with a corporate background. While there is also a social worker who interned at Sisters of the Road, the idea of having a diverse CRC that reflects the makeup of the city (3.21.080 [A] [6]) should mean that at some point the City should appoint an actual person who has experienced homelessness to the committee. Instead it seems that business interests are being more represented.

The current 6 CRC members include 5 men and one woman; the new nominees (two men, three women) will bring the Committee up to 7 men and 4 women.

The racial makeup of the CRC currently includes two people of color; the new pool includes one mixed race nominee, meaning the CRC will have 8 of 11 members who are white/Caucasian.

One of the new CRC members (Ms. Tuller, the one who went to Harvard) says she trained the Police Bureau about disabilities. This does not necessarily mean that she has institutional ties to the Bureau that raise issues of bias, but it is something we will be watching closely.

That said, we will put forward the observation that there are now five of 11 members of CRC (Ms. Donegan and Mr. Young in the new batch, plus Chair Troy, Mr. Paris and Mr. Denecke) who are lawyers. Again, if CRC is to reflect diversity, this should be part of the consideration.

We also note that in the past some of the better CRC members are ones who have worked with the police but also recognize the realities of misconduct; Mr. Young, a former District Attorney, talks in his application about seeing police officers who showed compassion and others who falsified reports and/or used excessive force. This kind of balance makes an ideal CRC candidate.

As for the PRB's new members, there does seem to be some balance in that while Ms. Von Ter Stegge is a lawyer for Multnomah County, Ms. Seiler is a criminal defense attorney. Unfortunately, because of how the PRB functions-- where only one of the 18 members will likely ever be in the room while the majority-police Board deliberates-- having two members balance each other out is not as important as finding that kind of balance we described for CRC members. Mr. Yarosh's biography describes his past as both a prosecuting and defense attorney, and as we observed him in his tenure on the CRC he slowly moved from a staunch defender of the police to raising some serious questions about both behavior and investigative practices. We hope he continues in that more balanced mode as he serves on the PRB.

It also does the City no favors that the panel which chose the PRB members included Helen O'Brien, who does victims assistance work for the Multnomah County DA's office, the head of Internal Affairs, and the newest upper management member at the "Independent" Police Review Division. This does not convey an interest in accountability and neutrality.

We're not sure whether to describe our absence at Wednesday morning's induction as "ironic," since we will instead be attending the continuation of the Fairness Hearing on the Dept of Justice Settlement Agreement diagonally across the park from City Hall. It is of course possible that the judge could decide to throw out the whole settlement agreement, or find creative ways to instruct the parties to make changes. That would mean there could be further changes to the IPR and PRB ordinances that were not accounted for when the recruitment and your presumed acceptance of these candidates takes place.

We will continue to ask the judge to fix the problems in the Agreement, including the very dangerous provision that CRC has 11 members and a quorum of 5, meaning that a small faction could meet and make decisions without the knowledge or input of the majority. We're sure you will hear about the outcome.

Thank you
dan handelman

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