

THE PEOPLE'S POLICE REPORT

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PIIAC REFORMS STALL IN STARTING GATE

Reforms to Portland's Police Internal Investigations Auditing Committee (PIIAC) proposed by Vera Katz passed unanimously through City Council in January. The measures themselves are little more than window dressing to cover the fact that police investigations into their colleagues' misconduct is inadequate (see *PPR #1*). Fortunately, a majority of Council (Mayor Katz, Commissioners Lindberg and Kafoury) pledged to revisit the issue once reforms have had a chance to kick in.

But now that the reforms are in place, PIIAC's Citizen Advisors seem to have even less of an idea of what to do. For example, several Advisors want to delay further complaint review until their full-time "independent investigator" is hired. However, the new plan does not call for an independent investigator, but a full-time staff person *trained in investigation*. While this seems like a semantic difference, it means that this full time staff person, like PIIAC, will not be allowed to investigate a case directly, but only to review Internal Investigations documents.

Beyond that, the earliest a staff person will be hired is July. We hope what little PIIAC is able to do under the current ordinance will not be postponed another 3 months.

Advisors are putting off implementing another part of the revised ordinance: community outreach. Some Advisors feel that going to 1 or 2 of their own neighborhood association meetings a year will be sufficient. But more

NATIONAL CONFERENCE Edited from 3 days of workshops/presentations, the National Conference on Police Accountability is now available as 3 one hour tapes from Flying Focus. Subjects include community organizing & a	VIDEOTAPES AVAILABLE: discussion of civilian oversight. Requested donation: \$10/hour; \$25/all 3 hrs. For a complete synopsis or to order: Flying Focus Video Collective 2305 NW Kearney #231 Portland, OR 97210 (503) 239-7456.
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needs to be done to show the public that civilians are overseeing police. PIIAC should visit as many neighborhoods, social service agencies, and community groups as possible.

To their credit, PIIAC Citizen Advisors have brought up the idea of holding their meetings in different neighborhoods to allow input from local residents.

The Citizen Advisors also put out a draft of their first quarterly report, a summary of 1993 activity. The report showers the Police Bureau with praise and leaves out tables which might allow easy comparison of data presented. However, the report brings up some very serious issues, including several cases of individuals being brought to Hooper Detox Center when they were not drunk. The report asserts that the people were brought to Detox simply for being rude to officers. POPSG has received two such complaints directly over the Copwatch line and heard of several others. There is obviously a problem here that needs to be addressed. If you have had an experience of being brought wrongfully to Detox (or to the psychiatric ward at Adventist Hospital), call Copwatch at 321-5120. We also encourage civilians to **come hear the PIIAC quarterly report when it is presented before City Council on Wednesday, April 27 at 2 PM.** We understand public testimony will be accepted.

A POLICE/SHERIFF MERGER: WHAT ABOUT ACCOUNTABILITY?

The Multnomah County Sheriff's Office (MCSO) and Portland Police Bureau (PPB) have long shared local law enforcement duties. However, as the unincorporated portion of Multnomah County has diminished, so has the patrolling role of the Sheriff's Office. The number of deputies assigned to the street has shrunk to 39 (from 134 as recently as 1984 [WW]*). Today, the Sheriff's primary responsibility is to staff local correctional facilities.

In light of these changes and in the name of reducing the replication of services, many people are calling for a merger of the two agencies. Two years ago, the Governor convened a task force to study the issue. Mayor Katz has said she favors a merger, although she has not been specific on what it would look like. In *Willamette Week*, Chief Moose argued for merging the patrolling Sheriff's deputies into the PPB. An attempt to get an alternative merger proposal onto the May ballot -- which would have transferred all PPB budget and staff over to the County -- fell short by only several hundred signatures.

For citizens concerned about police accountability, the possibility of a merger raises a number of important questions. First, is it even a good idea to have only one police force responsible for law enforcement in our community? In *WW*, Sheriff Skipper pointed out that having two agencies creates accountability. As long as there are two agencies there can be competition among them to be the best provider and to have the best public image. At this level, they hold one another accountable and may even be inclined to share the other's shortcomings with the public.

While it might be best to avoid a merger altogether, it is likely that one will occur in the near future. If so, which of the two police forces should take over sole responsibility for law enforcement in Portland? Sponsors of the initiative to merge PPB into the Sheriff's Office argued that, unlike the Chief of Police, the Sheriff is an elected official and therefore directly accountable to the public. But the general public has enough trouble holding politicians, whose actions and votes are a matter of public record, accountable. Police forces are insular organizations which avoid, resist, and deflect scrutiny from the general public, unless involved in an indisputable incident (like the LAPD in the Rodney King beating). (more)→

* figures and quotes in this article marked *WW* or *Willamette Week* are from "High Noon," by Mark Zolton, *Willamette Week*, March 23, 1994.

RECENT ADDITIONS TO OUR FILES:

- "Deaths in Custody" from the Legal Medicine Journal of 1991. Includes an investigation checklist for deaths which occur in jails, police lockups, penitentiaries, and psychiatric institutions.
- A copy of the recent Audit of the Police Bureau, which mainly deals with issues of deployment.
- The Rap Sheet (not the Portland one) from Oakland. Contains reams of information about civilian reactions to "Community Policing" and other police accountability issues. For information:

The Rap Sheet, c/o Applied Research Center,
440 Grand Ave. Suite 401, Oakland, CA, 94610.

POLICE/SHERIFF MERGER? (cont'd)

Even an elected Sheriff, as the head of an insular organization, can resist having to justify his or her department to civilians. Borrowing from national police forces, he or she can adopt a non-explanation similar to "it's a matter of national security." Furthermore, as an elected official, the Sheriff is not particularly accountable to other political representatives at the County level. The County Board does have say on the Sheriff's Office budget. But if the Sheriff is a good politician who creates a positive public image, elected Commissioners will hesitate to use the budget axe as a way of holding him or her accountable. As Sheriff Bob Skipper said, "I am an independent, elected official, I answer to the public. I don't answer to other politicians." (WW, p. 20). The politicians he won't answer to are the Multnomah County Commissioners-- "the elected officials who should ask Skipper the tough questions." (WW, p. 20)

The Mayor and other elected officials of the City of Portland do have some power to hold the Portland Police Bureau and its Chief accountable. The Chief, of course, does not have the threat of being ousted by angry voters, since he or she is appointed by the Mayor. Community policing advocates argue that the PPB is also held accountable through institutions like the Chief's Forum and Community Policing Liaison Officers. Additionally, the PPB is subject to limited oversight by the Citizen Advisors to the Police Internal Investigations Auditing Committee. For its multiple faults, the committee does provide a very small window into the operations of the Bureau.

The MCSO has no civilian review process. Investigations into misconduct claims are reviewed by a complaint board made up of Sheriff's deputies. Some argue that the MCSO is extremely hard on itself in terms of internal affairs and that it does not need civilian oversight. We at POPSG have no way of knowing if this is true. We have, however, received several Copwatch complaint calls about Sheriff's Deputies in the corrections facilities. So while they may be rigorous in their internal investigations today, without civilian participation in the process, we have no way of knowing whether they will be tomorrow.

From the perspective of accountability, the civilians of Portland and Multnomah County may be best served if no merger of the MCSO and PPB takes place. We benefit if the two agencies are competing with one another for our trust. But in any case, to achieve real accountability the public must continue to work toward better civilian oversight and a more meaningful community policing partnership, whether it is with the PPB, the MCSO, or both.

PORTLAND PAYS SHOOTING VICTIM \$100K+

Gerald Gratton, the police shooting victim hit by three of 27 bullets after being chased off a #4 Tri-Met Bus, was awarded \$118,000 by City Council in early March. The officer who fired 23 of the shots was fired last October. We applaud these actions, but has justice been done? We plan to find out if any training or hiring practices were changed as a result of the incident.

Now that PIAC is including Risk Management figures in their quarterly reports, they will get to look over many cases which don't go through IID. These are cases the City considers serious enough of a problem to pay off the complainant. From this, we hope they will spot trends which may lead to policy changes in the bureau, and fewer cases like Gerald Gratton's.

PORTLAND: COMMUNITY POLICING CAPITAL OF THE U.S.?

Portland is apparently becoming a national model for successful community policing despite the fact that, in terms of accountability, the five year old Community Policing Initiative has failed to fulfill its promise. Nonetheless, other cities are looking to Portland for guidance.

In late February, Mayor Martin Chavez of Albuquerque, NM, visited Portland and returned home convinced that community policing was right for his comparably sized city. On March 6, the *Albuquerque Journal* ran stories quoting Mayor Katz, Chief Moose, Roger Morse and others exalting the struggles and successes in implementing community policing. The *Journal* pointed out that Mayor Chavez was persuaded by the facts that Portland's crime rate has leveled off over the past 5 years, the public feels safer today than 4 years ago, and the approval rating of the PPB is higher than it has been in years.

The first measure, crime rate, has not, to our knowledge, been linked statistically to the implementation of community policing. And a similar leveling off of crime has occurred nationally over the past 5 years. The other two measures are subjective and could well be the result of one of community policing's biggest accomplishments — an effective public relations strategy.

A resident of the Brentwood-Darlington neighborhood, whose community policing officer is being removed, said, "(It) really worked here. They were arresting people on a first-name basis."
--*The Albuquerque Journal*, 3/6/94

The article also points out, but does not analyze, the financial cost of community policing. Albuquerque and Portland, while similar in size, have vast disparities in their police budgets. Portland spends about \$90 million annually vs. Albuquerque's \$56 million. Mayor Chavez is prepared to make the investment. But wouldn't an additional \$30 million a year spent on education, job training, and youth programming have a bigger long term effect on Portland's crime rate and community health than community policing has?

There are other issues that Chavez and others who are jumping onto the community policing bandwagon are not considering—or at least not discussing. Community policing has social costs that may outweigh its benefits.

First, the police's role is extended into the realm of social service provision. Officers are made to play critical societal roles for which they are not trained. Police who apply coercive enforcement strategies in situations that require constructive dialogue and supportive interaction undermine the health of communities.

Secondly, community policing risks deprofessionalizing the police. By encouraging the bureau to build relationships with "the community," we may actually create relationships between the police and select members of the community, e.g. business associations and property owners. This does not facilitate the equal protection of all by the police, nor does it promise an equitable approach to determining enforcement strategies.

Finally, the language of community policing can be used to lessen the degree of real accountability to the public and to undermine the efforts of advocates seeking to

COMMUNITY POLICING (cont'd)

establish such measures as civilian review boards. According to Vecinos United, a New Mexico based advocacy group, Chavez sees community policing as an alternative to establishing an effective civilian review process. In Portland, POPSG's work to improve civilian review is made more difficult by police and city public relations efforts aimed at creating an image of accountability while the public is, in fact, largely shut out from the process.

As Portland is held up as a national model for community policing and other cities scramble to sign on, we should be clear that community policing has both heavy monetary and social costs.

REPORT ON NATIONAL POLICE ACCOUNTABILITY WEEK

On Feb. 27, to begin National Police Accountability Week, POPSG held a Speakout and Concert at the Clinton Street Theater featuring Häsenpfeffer, Simmons/Rose, and Soul Rhythm Soldiers. The crowd was thin, but the spirit was right as a half-dozen groups working on aspects of police accountability (POPSG, National Lawyers Guild, American Anti-Prohibition League, Radical Women, Alliance to Protect & Defend Civil Liberties, Amnesty International) and about as many police misconduct victims made issue of coming together as a community to demand accountability.

Particular note was made of police mistreatment of the mentally ill. Also, the family of a police shooting victim spoke out. The closing hip-hop music by Soul Rhythm Soldiers (100% non-violent, 100% non-racist, and 100% hard) worked the crowd up until a fuse blew, so they finished singing to the beat of the audience clapping in the dark.

"The People's Police Report" is published quarterly by **People Overseeing Police Study Group (POPSG)**, a civilian group promoting police accountability through citizen action. For our **"Proposal for an Effective Civilian Review System"** with documents and background (48 pp.), send \$2.00 per copy to **POPSG, 2600 NE Martin Luther King, Jr. Blvd Box 106, Portland, OR, 97212**. For extra copies of this newsletter, send \$.50 per copy or a SASE. Letters and submissions welcome. Call us at **(503) 236-3065**, or report positive or negative experiences with the police bureau or Sheriff's deputies over the **Copwatch informational line, (503) 321-5120**.

- Enclosed is \$5 to receive one year of the People's Police Report by mail.
- Enclosed is a sustaining donor pledge of \$15. I understand I will receive the People's Police Report and all other mailings from POPSG.
- Enclosed is a donation of \$_____ to support your continued work.
- I'm donating, but I don't want to receive mail.
- Please take me off your mailing list.

Make checks out to Portland Peaceworks/POPSG. To make a tax-deductible contribution, make checks to "Oregon Peaceworks Fund/POPSG", & include a note.

Clip and mail this slip back to us. Be sure your name, address and (optional) phone number are on the slip.

ACCOUNTABILITY WEEK (cont'd)

Many thanks to all who made the event possible. Other events were held in Berkeley, CA, Chicago, IL, and around the country.

Meanwhile, Mayor Katz and her aides were reluctant to introduce legislation that week for tracking all deaths caused by police or occurring in police custody. They want to wait until a national database is created. Since the National Interreligious Task Force on Criminal Justice was introducing such legislation simultaneously, we found ourselves in a catch-22. We will continue to work on this issue; please call us if you are interested.

COPWATCH FOLLOWUP YIELDS DEPRESSING RESULTS

Portland Copwatch volunteers recently went through 1993 files and followed up on complaints initiated last year. Many complainants had moved or were unavailable, but we did reach nearly 1/3 of the callers. With very little exception, we found that people had run up against bureaucracy at Internal Investigations or at City Hall which made them want to "put it all behind them."

We urge victims of police misconduct to come together and change how

COPWATCH (cont'd)

things work. The system often makes victims feel as though they have done something wrong, but that is usually not the case. In the same way people play down Rodney King's beating by pointing out his criminal and drug record, people assume victims of police misconduct "deserve it." But we all have the same civil rights, even those with criminal records. Nobody deserves to be treated rudely, roughly, or unfairly by agents of the government.

Portland Copwatch continues taking informational calls, and has compiled a list of lawyers for callers to contact if they desire.

We plan to expand in 2 ways:

1. Help people through the process of filing with IID (appealing to PIIAC if appropriate); point them to lawyers who can help them file a lawsuit; or help them make issue of their case in the media (the Seattle Model); and

2. Get out on the streets to "Copwatch" with clipboards, scanners, camcorders, still cameras, and copies of the ORS and the General Orders. (the Berkeley model)

One reason we haven't yet begun these programs: we need committed volunteers. If any of the above interests you, call us and we'll let you know when we begin organizing!

Clip and fold this card into your wallet. Share it with a Spanish-speaking friend.

We plan to print it in Vietnamese and Chinese in future issues.

If you can help translate, or print in those languages, please contact us. This card is also available in English.



Si es víctima de fuerza excesiva

de la policía es importante obtener documentación sobre sus heridas. Hay varios procedimientos que Ud. puede tomar contra la policía, desde hacer una denuncia hasta un litigio, por ejemplo.

Números útiles:

Portland Copwatch
(Vigilancia de la Policía) 321-5120
Police Internal Investigations (IID)
(Investigaciones internas de la Policía) 823-0238
Police Internal Investigations Auditing Committee (PIIAC) 823-4024
Alcalde Vera Katz 823-4124
Oficina del Ombudsman 823-4125
Ofic. del Defensor Público 226-3083
Metro Crisis Hotline 223-6161
Para más informaciones: People Overseeing Police Study Group (POPSG)
2600 NE MLK Blvd, Box 106
Portland, Oregon 97212 (236-3065)

SUS DERECHOS Y LA POLICIA

Una referencia rápida para residentes de Portland, OR

Cuando la policía le para.

Quedase tranquilo, con las manos bien visibles. Tenga cuidado con lo que usted dice. Si no está conduciendo no es obligatorio que usted lleve identificación. No tiene que identificarse, pero si usted se niega a hacerlo la policía puede llevarle al comisario. No le puede arrestar solo por no tener o llevar identificación.

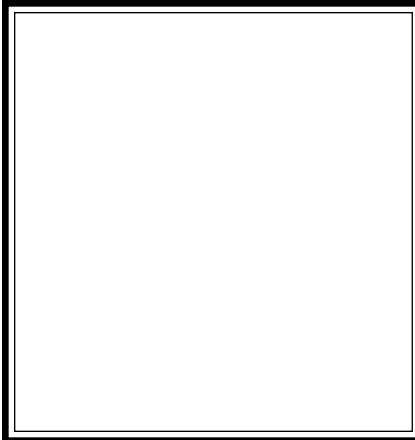
Si usted está conduciendo.

Tiene que mostrar su permiso (licencia) de conducir, la matrícula (registración) del vehículo y la prueba de seguridad. Si la policía le sospecha de haber bebido y usted se niega a tomar el examen del aliento le puede suspender el permiso (licencia).

RAPPING BACK:

POPSG's Analysis of Information in
the Police Union Monthly Newsletter,
The Rap Sheet

MORE REFLECTIONS FROM REPRESENTATIVES
OF OUR COMMUNITY POLICE



This cartoon appeared exactly as you see it in February's *Rap Sheet*. You see "Portland's Law Enforcement" represented by a large boxer, whose hand is tied down by a rope labelled "PIIAC." Is this the image of Community Policing being trumpeted around the nation?

Who's more morbid?: *Rap Sheet* Editor Jeff Barker, whose comments we featured in the last issue, took some swipes at a new target in February: community activist T.J. Browning. Browning helped form the Nathan McMurray Thomas Memorial Trust shortly after the 12 year old was accidentally killed when police fired at the man who took Thomas hostage. In January, Browning made the mistake of calling for a strong civilian oversight process for Portland's Police. This was her reward:

A short time after the death of Nathan Thomas, ...T.J. Browning appeared before the PPA asking for funds to build a soccer field in Nathan's memory. The PPA contributed & T.J. seemed to like the lure of media attention.

Since that time she has taken on the public role as a police basher and it is embarrassing to see her figuratively drag out the coffin of little Nathan to perform her song and dance.

The decline of civilization?: Barker retread old ground by referring to PIIAC member Emily Simon as "a bitter and unhappy person." He wondered whether Simon and two other "criminal defense attorneys" on PIIAC's Citizen Advisory are:

...trying to back the police into a corner so the police will find it is too much trouble to arrest criminals? Will we be reduced to just being report-takers, turning our collective backs on proactive police work and allowing the criminal element to once again become firmly established in their drug trade and other criminal enterprises? ...If they win and we lose, Portland will rot from the inside like many of the country's other cities.

The extent of the exaggeration of these fears is evident when you consider (a) PIIAC's caseload against IID's (15 vs. 400 cases a year), (b) the types of cases PIIAC reviews, and (c) the low number of cases which ever get returned to IID for further investigation.

Fact checking: Barker's continuing disregard for reporting facts resurfaced when he referred to media activist Paul Richmond "of Flying Focus Video." Had Barker done any research at all, he would have known that Richmond stopped working with that group over two years ago.

To his credit, Barker discussed the huge new fines for traffic violations, noting that the public vents anger at the police when they get a ticket, rather than the legislators who set the fines. "Some officers believe the bails are so excessive they are no longer willing to write traffic citations."

Later in the same article, he reminisced about days of old when he would help motorists change their tires. He turns around on modern concepts, wondering: Is changing a citizen's tire considered Community Policing?

Well, I didn't get a four for six overtime shot for my 15 minutes, so the Community Policing purists would probably say not. Maybe it was just old-fashioned police work.

We'll keep you up to date on what the official union newspaper of Portland's rank-and-file has to say, or you can subscribe to it for \$10 a year by writing Portland Police Association, 808 SE 19th, Portland, OR 97214.

Si la policía quiere examinarle, solo puede tocarle el exterior de su ropa para verificar si usted está llevando una arma. Es preciso decir a la policía que no tiene su consentimiento para una examinación mas completa. Si la policía le dice que tiene mandato para examinarle o arrestarle, pídelo. Si la policía esta examinando su cas o su vehículo con "causa probable" (un sospecho fuerte) explíquele que no tiene su consentimiento para examinarle.

Si la policía le arresta, no tiene que responder a ninguna pregunta salvo identificarse. No le de excusas o explicaciones. Todo lo que usted dice puede ser utilizado contra uste. Solo diga "yo quiero hablar con mi abogado" (I want to speak with

my lawyer). Si usted no tiene abogado pide a la policía como contactar a un abogado (el estado tiene que proveer un abogado gratis a personas acusadas sin dinero).

Si ud. está Vigilando a La Policía (Copwatching), tenga cuidado a que la policía sepa que usted no tiene la intención de entrometerse con el arresto. Eso significa quedarse a una distancia mínima de diez pies (tres metros) y no distraer ni a la policía ni al arrestado.

Si es víctima de mala conducta de la policía usted debe trater de obtener los nombres de todos los agentes de policía involucrados, y si posible los nombres de sus superiores. Si hay testigos también es importante obtener sus nombres y números de teléfono.

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