CHIEF MOOSE UNDERMINES CITY COUNCIL DECISION IN POLICE BRUTALITY CASE
PIIAC Discovers One of Its Main Weak Spots

A t the City Council meeting on Wednesday, July 16, several City Commissioners were surprised to hear that Police Chief Charles Moose controv...
**Drug Free Zones**

(continued from p.1)

In June, Circuit Court Judge Donald Londer changed the procedures for exclusions from a DFZ: instead of a person being excluded upon arrest, the exclusion will be part of the conditions placed upon them during pre-trial release from jail. (According to the June 25 Skanner, the defendant has to plead guilty at arraignment, thus accepting a reduced sentence and the exclusion order.) While this satisfies the question of the police being the ones excluding people from their own neighborhoods, it does not put an end to the question of whether cordoning off entire areas is a wise idea.

Proponents of the DFZs say they’re not stopping anyone from going to their own home, yet they are forcing people to apply for a written variance which only allows them to walk a certain path to get there.

**Police Shootings**

(continued from p.1)

which amends the 1968 Gun Control Act, prevents anyone convicted of a domestic violence misdemeanor from carrying a gun.†

So far this year, Portland’s civilian population hasn’t dwindled due to on-duty officer shootings (there have been three), though dogs are not doing so well.

Early July 12, Officer Steven Johns shot a car prowler who hurled a cardboard box at him. Though hit with two bullets, the suspect, Robert Dean Bliss, survived.

On April 29, Officer Brett Williamson shot a robbery suspect who was riding a bicycle. Williamson only fired one shot. The suspect was wounded in the arm and upper torso. The Oregonian reported that the suspect had a semiautomatic weapon.

On March 26 Officer Erick Thorson chased fleeing robbery suspect Rodger Rosling. The suspect “Allegedly reached for his waistband as though he was reaching for a gun”; Thorson shot him in the arm, and “Police later found a gun near Rosling.” (Oregonian, April 6, 1997)

In a letter to the Rap Sheet in July, Officer Thorson commends Portland Police Association (PPA) President Leo Painton and Secretary-Treasurer Tom Mack for “jumping out of bed at 3 AM to come to the scene.” His resolve in using deadly force clearly needed re-inforcement from the brothers in blue: “As sure as I was about the shooting, it never hurts to hear that people think you did the right thing.”

On February 19, Sgt. Pat Kelly shot and killed a dog in a speeding car. The only officer at the scene, he fired 6 times at the car, which was allegedly moving toward him.Š

Finally, Copwatch received a call on July 29th from a grief-stricken dog owner who said the police had shot her dog and notified her by pinning a note to the door.

We want to reiterate what we’ve written before: There is not a “war” going on between police and “bad guys.” There is no pleasure in listing body counts. We hope that one day all people will have what they need and crime, violence, and police as enforcers of state power will no longer be around.

† We only have statistics for one shooting in 1995. It was not fatal. In 1994, one of the five people who was shot lived. In 1993, two of the four people lived. In 1992, at least 6 of the 14 shootings were fatal.

Š The April Rap Sheet actually devotes considerable space to the issue of police suicide, including a reprint of an FBI Law Enforcement Bulletin article on “Preventing Police Suicide.” The “eight times more likely” figure comes from a letter to the editor quoting the same SUNY Buffalo study cited in the article.

Three Los Angeles County Sheriff’s Deputies had their records of domestic violence convictions expunged to get around the law and allow them to continue carrying guns. Former Portland Police Chief Penny Harrington estimates that 40% of police officer families have suffered some form of domestic abuse. (L.A. Times 6/24/97)

If this scenario of police finding a gun “later” sounds familiar, it may be because the same thing happened after Officer Terry Kruger shot 20 year old Deontae Keller in the back in February 1996, killing him. In July, 1993, Officer Douglas Erickson fired his gun 23 times at fleeing suspect Gerald Graton, who allegedly had a gun in his waistband which was later found on the ground by the bus where the pursuit began.

Š In September 1993, police shot 20 year old Duane Shaw, who they said was moving his car toward them.
¡RAZA SÍ! ¡MIGRA NO! Day Laborers Resist INS Raids
by Gareth Miles, Workers’ Organizing Committee

At 6:00 every morning dozens of Latino immigrants stand on the corner of E Burnside and Grand, waiting for people to drive up and offer them a day’s work. The employers include small businesses (construction, yard work, etc.), large companies and even government agencies. Most day laborers are homeless, working to scrape by on the street and to support their families back home. The work is usually the hard, dirty, unsafe type that most US. citizens would not do. Though some employers pay decent wages, many try to take advantage of a largely undocumented and non-English speaking work force by underpaying workers, giving them bad checks and failing to enforce safety standards. Harassment by police and drug dealers is an everyday occurrence.

Many (though not all) local business owners see the presence of the day laborers as a problem—they don’t like brown people hanging out on the street, scaring away their middle-America customers who think all brown-skinned people are drug dealers, gangsters or terrorists. Local businesses represented by Central Eastside Industrial Council have decided to make the “problem” go away by calling up the hired thugs of the Immigration and Naturalization Service (INS)

They didn’t count on an organized response by the day laborers. With the assistance of the Workers’ Organizing Committee (WOC), day laborers came up with a strategy of resistance. Having heard of an upcoming raid, volunteers from WOC’s program “Migra Watch” showed up on the corner every morning for a week, armed with cameras. When La Migra (INS) arrived at 8 AM on Wednesday June 10, we were ready for them. Activists captured the faces of undercover INS officers on film and documented various human rights abuses. Many INS officers were in plainclothes and did not identify themselves. Others wore a confusing assortment of uniforms including INS uniforms, Border Patrol jackets with bullet-proof vests, and others that resembled FBI uniforms.

Some drove up in a van with the name of a business on the side, trying to trick the workers into thinking they were employers. The business names were not registered in Oregon and the license plate numbers are suppressed at the DMV, meaning they were government vehicles. Some people were questioned about their immigration status, others using drugs. As I and other eyewitnesses can testify, the sting targeted all brown-skinned, Spanish-speaking people who were in downtown Portland at the time.

With only five days to organize, the day laborers and WOC pulled together a major protest against the INS on July 17. Two hundred people gathered on the corner at 7 AM, including day laborers, WOC activists and representatives from other organizations such as PCUN (a Northwest farmworkers’ union), Jobs with Justice, American Friends Service Committee, Portland Industrial Workers of the World, Copwatch and the Archdiocese of Portland. Led by the courageous day laborers, we marched to the INS building at 511 NW Broadway and shook its walls with spirited chants and speeches.

There has been another (smaller scale) raid since then, and Portland branch INS head Joe Shaffer has promised more. The Workers’ Organizing Committee is collaborating with the immigrant rights coalition CAUSA ‘98 to pressure politicians to investigate INS abuses and to declare Portland an INS-free zone. This was recently achieved in Marion County, where a year long campaign by the Latino group Mano a Mano resulted in promises from county agencies to refuse to co-operate with the INS. We have a letter-writing and petition campaign targeting the INS. The presence of video cameras also discourages the agents from being as violent and abusive as they might be otherwise. This is something that should especially interest Copwatch activists.

For information on Migra Watch and how you can help, contact Lucy Bernard at Workers’ Organizing Committee.
Call (503) 284-3856, fax (503) 284-4254 or write PO Box 12292, Portland, OR 97212. [Photos from WOC.]

Got a question or comment about the People’s Police Report? Want to submit a letter? (300 words or less, please)
Want to find out more about our meetings and other activities?
Write to us:
Portland Copwatch, PO Box 42456, Portland, OR 97242
e-mail: copwatch@teleport.com
SHERIFF PROPOSES DOUBLE-BUNKING IN JUSTICE CENTER

On June 16, Portland Copwatch was invited to attend a special meeting called by the Multnomah County Counsel and the Sheriff’s Office (MCSO). It seems that in light of the increased jail population following Oregon’s “tough-on-crime” measure 11, the MCSO is interested in removing a federal cap currently placed on the number of inmates they can house in the downtown Justice Center. The current cap is 476 people. They want to add 265 bunk beds (in cells built for one inmate), bringing the total number of beds to 741.

However, they would only be asking the cap be raised to 676, assuring the Federal Court and the general public that at the time of their once-a-day head count (4 AM), they would never exceed that number of inmates, and the extra 65 beds would be empty.

In addition to our concerns that double-bunking in these cells may violate constitutional rights, we also noted that the release of non-violent offenders of victimless crimes would probably free up enough jail space that they wouldn’t NEED to double bunk.

The Multnomah Defenders seemed to be very concerned that more inmates would mean additional waiting time to talk to their clients. The ACLU of Oregon listened patiently and is analyzing the legal ramifications of the MCSO proposal.

Members of the Sheriff’s Office seemed surprised when Copwatch’s representative mentioned that crime has actually been decreasing in the last few years. (For instance, the January 25, 1997 Oregonian reported a 10.4% drop in serious crime in Portland for 1996.) Sheriff Dan Noelle wrote a long piece which appeared in the July Rap Sheet explaining the situation and what he sees as a need to raise the federal cap. He cited instances where they had to put inmates on the floor at the East County Inverness jail. As a solution,

MOOSE, PIIAC, CITY COUNCIL (continued from p. 1)

To understand how the Chief was able to make the final decision, it may help to look at the police review process:

The victim filed a complaint with Internal Affairs (IAD). They investigated the matter and found no misconduct. On appeal to PIIAC, the case was sent back for further investigation. When the police returned again with a finding of “Exonerated,” the Citizen Advisors brought the case to City Council asking the finding be changed to “Sustained” for excessive force. On April 23, Commissioners Sten, Hales and Kafoury voted in favor of changing the finding. Chief Moose, under City Code, had 60 days to respond. On day 61, he issued a finding of Exonerated.

City Commissioners seemed surprised to learn that their April vote was non-binding and that an appointed official could, through administrative action, overrule a vote by elected representatives. Even Commissioner Francesconi and Mayor Katz, who did not vote to change the original finding, were disturbed by the process. Commissioners indicated that they would speak with the Chief, the Police Association and the City Attorney about changing City Code to make the Council’s decisions final.

Since that time, Copwatch has issued a request for City Council to conduct a full audit of PIIAC’s effectiveness since 1994, when the “Mayor’s Initiative” brought many changes to the police review process. [see PPR #11 for other info on the idea of an audit] Copwatch circulated a proposal prior to the 1994 changes, requesting important other modifications including that the police review board have the final say in cases brought before them. It is too bad City Council had to have a case turned back on them to realize the weakness of this system.

Moose’s Second Chance?

PIIAC advisors brought another case before City Council on July 16th, recommending a finding of Sustained where the bureau had not. In this case (#96-18), off-duty officer Donald Speranza wrote a police report about his teenage neighbors making noise late at night, writing on the report a suggestion that Child Services Division get involved. Most Council members expressed outrage that the officer overstepped his bounds by writing a police report in a personal matter (General Order 313.30—Misuse of Position).

Speranza’s Captain, Detectives supervisor Greg Clark, argued that there is such pressure for police to document everything these days that the officer would have been criticized for not writing anything down. However, as PIIAC Advisors pointed out, Officer Speranza could have written notes and stuck them in his pocket. Council members asked why Speranza didn’t ask an officer he called to the scene (“Officer B”) to help write the police report. Commissioner Francesconi rightfully asked whether any ordinary civilian—including the Commissioners—could have written such a police report. After sputtering out a few remarks about how all police reports are ultimately generated by civilians, Capt. Clark admitted that only a police officer could write a police report.

The vote was 4-1 to recommend a Sustained finding. Chief Moose now has 60 days to reply to City Council.

The Commissioners, PIIAC, Portland Copwatch, and the people of Portland anxiously await his response.

If you have concerns about issues raised in this article, you may want to call PIIAC at 823-4126, Internal Affairs at 823-0236, Chief Moose at 823-0010, or contact City Council—see p. 4 for info.
VIOLENT RESPONSE TO NON-VIOLENT TREE-SIT ROCKS EUGENE
by Ellen Klowden of Eugene Copwatch, Eugene PeaceWorks/War Resisters League

“Eugene Police employed the repeated use of pain, in a non-emergency situation, to change behavior. That, Mayor Torrey, is the definition of torture.”
—David Oaks, eyewitness, testifying to Eugene City Council June 2nd.

Extensively documented torture of nonviolent activists, supporters and bystanders by Eugene Police at a tree-cutting protest first shocked, then galvanized the Eugene community.

The City of Eugene provided a $12,000,000 subsidy allowing a corporation to knock down Broadway Grove, an impressive stand of historic 50+foot sweetgum, maple and black walnut trees, to build a parking garage and apartments. On June 1st, eleven Cascadia Forest Defenders trained in nonviolence perched themselves in the trees, without harnesses or platforms, in an attempt to save the trees at least until the next day’s City Council meeting.

Police clearly risked these activists’ lives by forcibly evicting them from the trees, without any safety nets, through repeated, several-second saturations of their eyes, feet and hands with pepper spray. Video of the events shows cops pulling the last tree sitter by his hair, cinching his pants, slugging him with a baton, and using a pruning hook to grab his pants and spray him as he dangled precariously by his hands with his feet swinging. Yet the Mayor, who watched for six hours from his car, stated that police actions were proper, and police and public safety officials who had not even been present went on record as publicly exonerating the field force unit even before viewing witnesses’ videotapes and photos.

Police rioted against onlookers as well. Videos show cops pulling a supporter from his bike and pummelling him on the concrete. Police are also seen shoving and pepper-spraying point-blank in the face people who are clearly complying with police orders to move to the sidewalk; police also used the pepper spray to literally soak those who did not move. Moreover, blinding, choking, sickening tear gas and pepper spray was repeatedly hurled at the crowd. This is evidenced in the Department of Public Safety’s own videotape, in which Incident Commander Lieutenant Becky Hansen can clearly be heard ordering one of her 30 riot-gear officers to “Initiate the MPG [tear gas] for the ‘We Speak for the Trees’ sign.”

Though the particular trees have been lost, this incident forged and solidified a broad coalition of groups of radical and nonviolent activists, mainstream neighborhood associations, liberals, homeless people, cop-watchers, and communities of color, decrying police officers’ brutality and city officials’ pandering to corporations rather than listening to their constituency.

Since June, City Council unanimously approved the Human Rights Commission’s appointments to a panel which will draft a proposal for an external review board of police misconduct. The 16-member panel will include members of Eugene Copwatch and this article’s author, who is affiliated with a homeless empowerment movement.

Meanwhile, city manager Vikki Elmer brought in the Oregon State Police to hire seven full time staff people to conduct an “external” investigation. No one is perfectly pleased by this: protestors argue that it is not an external investigation since conducted by another law enforcement agency...an agency which had members on site during the incident and thus has a vested interest in exoneration. All 29 police officers present at the June 1st incident have signed a pact to “pled the fifth” and not cooperate with this or any criminal investigation!

Ellen Klowden and others in Copwatch, PeaceWorks, and the homeless empowerment movement have been involved as witnesses, videographers, testifiers, peacekeepers, press conference participants, cable show commentators, and in consultation with the city manager, police chief, head of public safety, and human rights commission. Contact Ellen at (541)484-4390 or e-mail her at psu02368@odin.cc.pdx.edu.

This article was also submitted to NonViolent Action, a publication of the War Resisters League.

DOUBLE BUNKING (cont’d from p. 4) he points to “successes” of the past few years, including renting space in Grant county jails and literally bunking inmates in a warehouse. He also cites as a problem the 1000 plus drug cases coming from the downtown police drug sweeps. While the PPB apparently times the arrests to coincide with low jail populations, when arrestees come in with a “detain for INS” status, the MCSO has to put a mandatory hold on them (see related story on INS raids this issue). [Side note: The INS pays for the jail space until deportation hearings, but the MCSO needs the space.]

A lot of overflow is also coming from SB1145, a bill initiated by Governor Kitzhaber to ease the effects of Measure 11 on the state prison system. (Noelle referred to the Governor’s law as a “piece of shit” in the June 11 Willamette Week.)

The County claims that there is enough money in the budget for extra staffing to handle and care for the additional inmates should they be allowed to double-bunk. A member of the ACLU wisely suggested that if the cap does get lifted and future budget cuts reduce the staff, the cap should automatically be reduced again.

We also encouraged a civilian oversight system of some kind, not only to make sure that the limits are met properly, but also for oversight of the inmates’ treatment. This system should include a mechanism for complaints against the MCSO. There was no immediate response to this idea.

The County does have plans for 150-300 beds for Drug and Alcohol rehabilitation with counselling, and other “community” alternatives such as electronic monitoring (which has its own set of constitutional questions). And of course they’re supposed to expand Inverness and build a new state prison in 1998.

Copwatch encourages you to get involved, and to let the Sheriff know that solutions to public problems do not include warehousing people.

Suggest that the “matrix” be rewritten to release non-violent offenders of victimless crimes to help ease his financial woes.

Sheriff Noelle’s phone number is 251-2400.

Or call Steve Nemirow at the Multnomah County Counsel: 248-3138.
BEANBAG BULLETS NOW ON THE BEAT

As we reported in People’s Police Report (PPR) #9, Portland has a new non-lethal weapon: the beanbag bullet. Fired from a 12-gauge shotgun, the 2x2 inch packet of lead pellets, unfolded after being fired and hit the subject. While it causes “skin abrasions and bruises” Loren Christensen makes a case in the June Rap Sheet that it’s a good alternative to being killed by police. The suggested range of use is 30 to 75 feet, but as we mentioned in our earlier piece if used at close range and fired at the head it could kill someone. Officers are supposedly trained to shoot at a suspect’s legs if closer than 30 feet, but perhaps it would be a better idea not to use them at close range at all. The beanbags also allegedly won’t work on people in heavy clothes, wearing body armor or under the influence of drugs, including alcohol.

Christensen writes that officers at close range are supposed to use their hands, at medium range a baton or pepper spray (which he says is best for clearing the sinuses), and that there was no effective long-range non-lethal alternative for beat cops. The Special Emergency Response Team (SERT) has been using the beanbags for over a year.

The shotguns for the beanbags will be painted yellow (Christensen refers to them as resembling “very large and very lethal Chiquita Banana[s]”) and the ammunition will also somehow be clearly marked so as not to be confused with the regular shotguns carried by patrol officers in the same car trunk.

According to the article, police can use deadly force against a suspect with a gun or a knife at close range. If they have a knife or a club at long range, the bean bag will be deployed.

As for critics of police tactics, Christensen writes “No one calls PIHAC, the ACLU or a hippie when a suicidal person wants to drive a railroad spike into his throat...[Nothing is] 100% effective. All we can do is keep trying.”

SPECIAL DUTY

In the last issue of the PPR, we reported that Portland Police were starting to get extra hours as security forces for certain events (“These Guns for Hire”). In June’s Rap Sheet, Tom Mack reports that nearly 200 jobs had been filled since February 15. He listed upcoming events such as a film production, concerts, and baseball games. As private security guards become more common, are we beginning to privatize our public police force?

As we were going to press, we were informed that Portland Police told organizers of the Portland Hemp Festival that they would have to hire PPB officers as private security for $6300 or they could not have their event. (Can you say “Shakedown?”) Of course, it could be because the Hemp Fest, which displays hemp-related products and literature, is attended by many people who want to legalize hemp’s smokeable relative, marijuana.

Meanwhile, Sheriff Dan Noelle deputized the EID security guards downtown so they can make arrests in misdemeanor cases. The guards’ salaries are paid by the Association for Portland Progress, a group of downtown business and property owners [see PPR #11—“Keeping Downtown ‘Clean & Safe’”]. The guards used to have to hold suspects until sworn police officers arrived. If you think you’re scared, even hard-line Portland Police Association President Leo Paino expressed concerns in the July 30th Willamette Week.

PEPPER SPRAY TO BE BANNED IN BERKELEY?

As reported in PPR #10, Berkeley, California is considering a ban on the use of pepper spray because of its relationship to long term health problems and numerous deaths in California. Lawsuits against the city for the use of the spray include one recently settled for $75,000. The May, 1997 [Berkeley] Copwatch Report says that a city-sponsored Task Force voted 5-2 to recommend a suspension of the use of pepper spray at least until a final report can be generated.

The task force is made up of representatives of 8 city commissions. They heard testimony from civilians and police officers. The Police Review Commission (Berkeley’s civilian police review board) voted in June 1996 for a two month moratorium on the use of the spray. Berkeley’s police chief refused to comply with the ban. Furthermore, when asked for copies of every police report regarding pepper spray, he offered to give them to the Task Force—with the victim’s name deleted to “prevent embarrassment.” One of the reasons the Task Force wanted the reports was to talk to the victims.

Apparently, California’s Department of Justice requires reports on all incidents of pepper spray use. While the Chief of Police cited 35 incidents to the Task Force, the agency collecting reports for the DOJ only received 13.

The vote in City Council will be September 9th.

For more information: Berkeley Copwatch
2022 Blake St, Berkeley, CA 94704, (510) 548-0425.
MORE PPR UPDATES

7-ELEVEN AND McDonald’s BEEF UP COP-FRIENDLY CAPITALISM

Michigan 7-Elevens are donating “tickets” for officers to give to youngsters for good deeds. Tickets are good for a Slurpee, and the project is known as “Operation Chill.” Good deeds include deterring crime, wearing seat belts in motor vehicles, and participating in positive community activities such as those sponsored by the police. (!!!)

Nationally, 7-Elevens is providing more than 902,000 coupons worth $622,380 this year (PR Newswire, June 2, 1997).

Pawtucket, Rhode Island reports that Ronald McDonald is a new friend to the police. Police can “file crime reports from a McDonald’s booth and paint their department seal on the window next to the golden arches.” The first station was in Texas in early 1990s. There are now 33 in Washington, DC; 13 in Prince George County, Maryland; 3 in Rhode Island, and more in Hartford, Connecticut and Chicago, Illinois.

“The stations are simple, consisting of a phone and a stash of incident reports on pastel tables with salt and pepper shakers,” according to the Associated Press (July 13, 1997).

The owner of the Pawtucket, Rhode Island McDonald’s says it’s just another opportunity to interact with the community. “It's a deterrent,” said Washington, DC, police Inspector William Ponton. “Someone who might want to rob the restaurant or shoplift doesn’t know if an officer is there or if the officer is about to stop by.”

But it’s just an expansion of community policing, says Ken Bickel, a spokesperson for the Community Policing Consortium in Washington, DC.

But don’t think things are limited to just a few corporations: Inspector Ponton said that next month police will open work stations in Safeway stores.

(For more info on Police Ministations, see “Now On Your Corner” in PPR #10 & “Police Expand Presence in Convenience Marts” in PPR #11)

POLICE SPYING UPDATE (again!)

The activities of Portland’s Criminal Intelligence Unit (formerly Criminal Intelligence Division) spying on progressive activists documented in numerous back issues of the People’s Police Report (#8-11) have been immortalized in a national publication, Covert Action Quarterly (CAQ). In the summer 1997 issue, CAQ printed a lengthy article by Portland writer Mitzi Waltz about police surveillance of activists nationwide. A page-long sidebar on Portland includes quotes from Copwatch’s Dan Handelman. (The information has been awaiting publication so long, we’re still listed as POPSG, a name we began to phase out over a year ago.)

Check it out: CAQ is available for $5.95 an issue from Covert Action Quarterly
1500 Massachusetts Ave NW #732, Washington, DC 20005.

HAWTHERONE BEAT UPDATE

In PPR #11, we announced the commencement of a Copwatch beat on Hawthorne Boulevard. The beat is a combination of community outreach, education, alliance building and direct observation of police activity. A group of Copwatchers has gone out on Hawthorne for two hours on the first and third Wednesday nights of each month for about three months now. The community response to this project has been overwhelmingly positive. We have interacted with well over 100 people by now, distributing informative literature on the police and civil rights, taking people's reports of altercations with the police, doing follow-up on observed incidents with the police on Hawthorne, and talking with various people about the police and the need for our communities to observe them and hold them accountable for their actions.

Unfortunately, this popular support has yet to produce any new volunteers on the beat. There aren’t that many of us and this is a very important part of our work as Copwatch for creating a community culture that is vigilant and will not tolerate police abuse. All it takes to get involved in this project is a few hours a month and it can be very rewarding. We promise we won’t even make you come to our meetings. To get involved call Clayton at 236-3065.

AGAPE GRANT UPDATE

Portland Copwatch would once again like to acknowledge the generous grant made by the Agape Foundation of San Francisco, CA, which helped us to print this newsletter. This is particularly helpful since this issue marks our first-ever 12-page newsletter!

The grant was made in October 1996 and is being put toward publication costs for one year, including new Your Rights and the Police Cards and Copwatch stickers (coming soon).

Other costs are covered by subscriptions and donations. While we have more subscribers than ever, we need you to renew your subscription if it has run out (check the date on your address label) or subscribe for a mere $10 a year if you never have before.

Subscribe to the People’s Police Report!
Support your local police accountability activists!
Send $10 for one year (3 issues) to PJW/Portland Copwatch – PO Box 42456 – Portland, OR 97242

One City’s Squad
Portland, Oregon, has a police and a City Council, and it seems to work. This story from The Oregonian recently featured an article about the City’s effort to keep the peace. The story was well-received, and the readers of the paper expressed satisfaction with the police force. This effort is one of many that are aimed at improving the police force.

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NCOPA ‘97: PHILADELPHIA HOSTS 7th POLICE ACCOUNTABILITY CONFERENCE
by Clayton Szczech

Once again, Portland Copwatch was represented at the 7th National Conference on Police Accountability. This year’s gathering was held in Philadelphia, PA, a city infamous for egregious police abuse of the citizenry. Among other things, Philadelphia is home to the infamous MOVE bombing of 1985 in which police dropped incendiary weapons on the housing complex of a radical African-American group, killing 11. It is also the city in which the Fraternal Order of Police actively lobbies for the death of political prisoner Mumia Abu-Jamal, and home to the “dirty 39th”, a precinct so corrupt that dozens of drug cases have been overturned because of police misconduct.

Copwatch Makes Good in Media, at Conferences

Portland Copwatch has been popping up all around to promote police accountability. On July 25, Copwatch member Clayton Szczech appeared at the national Peace Action conference at Reed College in Portland for a seminar on community violence. His eloquent analysis of why we need to re-define violence to include wage slavery, police harassment and other side effects of the capitalist system we live under was broadcast on KBOO-FM a few days later. In early August, Clayton headed to Philadelphia to represent Copwatch at the National Conference on Police Accountability and was quoted in the Philadelphia Inquirer (see his report on this page).

In May, Kristian Williams and Missy Rohs appeared on a panel about Copwatching at the “From the Ground Up” activist conference on the Evergreen State College campus in Olympia, Washington.

On July 31, Dan Handelman was featured as part of a National Public Radio “Morning Edition piece on police review boards. They focused on PIIAC as a national model and Dan explained why the board may be doing all it can, but that the system is not yet sufficient to be a “model.”

Earlier in the month, Dan was interviewed by KBOO regarding Chief Moose’s de-cision to overturn City Council’s vote on a PIIAC appeal in a use of force case (see p.1). We also received what could be considered a dis-honorable non-mention in the July 23 Willamette Week (WW) as “Police watchdogs, “considered “losers” because of Moose’s decision. For reasons unknown, WW rarely prints our group’s name.

The conference was attended by close to 200 police accountability activists, lawyers, ex-police officers and families of police victims. The attendees represented a wide variety of ethnicities and political perspectives, and there were at least as many female as male conference-goers.

Conference participants shared information and organizing strategies on a variety of issues. Police use of racial profiling, strategies for agitating for effective civilian review boards, information on asset forfeiture of drug suspects and an overview of the increasing privatization and militarization of the police were among the topics explored.

One conference highlight was a plenary on “Crack Cocaine and the Role of the CIA”, presented by Gary Webb of the San Jose Mercury News and Congressional Representative Maxine Waters. Webb’s well-researched series on the CIA’s role in introducing crack to America’s inner cities has been the source of much controversy lately; and Rep. Waters has called for a full federal investigation of the CIA.

Copwatch would like to extend thanks to the MacKenzie River Gathering for a generous travel grant allowing Clayton to attend this year’s conference.

Portland Copwatch has been represented at the conference and been a member of NCOPA every year since 1993.

For more information, contact: National Coalition On Police Accountability
59 E Van Buren #2418, Chicago, IL 60605; phone (312) 663-5392

Look for People’s Police Report #10 and 11, and more at the Copwatch web site–
http://www.teleport.com/~copwatch
SLAP ON THE WRIST FOR RAPIST COP

In mid-June the Oregonian reported that the Multnomah County District Attorney ordered the city of Gresham, OR, to release nearly 1,000 pages of confidential records on the conduct of Gresham Police Lieutenant Jim Kalbasky, who used his position as a police officer to coerce a female sex crime victim into intercourse on two different occasions.

For those of you who missed the story, this is what it said: Internal Affairs investigators concluded that Kalbasky knowingly exploited the woman using his status as an officer. According to the victim, Kalbasky came to her home in 1991, ostensibly to question her about a work-related sexual harassment complaint. She claims Kalbasky arrived with a bottle of champagne, kissed her, and refused to leave when she demanded he do so. Instead, she says, he forced her into the bedroom and raped her while she cried.

Kalbasky later showed up at the woman’s home and again forced sex upon her. Kalbasky denies the charges, claiming he had consensual sex with the woman once. In 1995, the Police Chief fired Kalbasky based on the findings, but city officials lied to the public and said the dismissal was based on a consensual affair with a prostitute.

A Portland officer reported the crimes to the Gresham Police Department, who told him that the woman was mentally unstable and they would not take a complaint from her. The woman turned to a deputy district attorney, who she mentally unstable and they would not take a complaint from

Giusto did have some insightful remarks on the incident: “We need to hold officers accountable.” he said. We agree. However, the question is: accountable to whom? By docking his pay and demoting him, the Police Department showed Kalbasky that he is somewhat accountable to them. But the Department itself is in no way accountable to the community it occupies, nor is Kalbasky being held accountable to his alleged victim. Giusto seems to believe we should all mellow out and accept that such atrocities as police raping civilians are inevitable. “The punishment has to fit the crime, I’m not going to chop off their heads hoping to kill the snake of police misconduct because it’s not going to happen. They’re human beings.” Perhaps Giusto is with us after all. We fully agree that regardless of who fills positions of unaccountable power, coercion and abuse will inherently follow from the existence of such positions. Perhaps we can persuade the Chief to join us in fighting for police officers being directly accountable to their communities so that imperfect human beings with badges can’t get away with things like serial rape.

SACRAMENTO COPS TARGET ZAPATISTA SUPPORTERS

On February 22, a group of young people interested in peace and justice and the Sacramento-based Zapatista Solidarity Coalition (ZSC) held a benefit event for the construction of a middle school in the poverty-stricken indigenous town of Oventic, Chiapas. The gathering drew over 100 people and featured music, poetry, and a slide show on the current struggle in Chiapas. Over 60 Sacramento Police officers in full riot gear, accompanied by canine units, paddy wagons, sheriff’s deputies, Highway Patrol officers, and a helicopter arrived to shut down the show. As no laws were being broken, the concert-goers sat down in the venue rather than comply with police orders to disperse. The police forcibly cleared the building, arresting several of the event’s organizers on charges as inciting to riot, destruction of property and failure to disperse.

The District Attorney chose to prosecute five of these “offenders.” The trial ended in a hung jury, and now DA Jan Scully has ordered a new trial. The ZSC believes this attack was politically motivated and asks you to support them in their effort to have the charges against Rice Canneto, Rick Ele, Stephan Podwizdki, Victor Rivera and Mick Pin dropped immediately.

ACLU UPDATES POLICE ABUSE MANUAL

The American Civil Liberties Union (ACLU), which produced “Fighting Police Abuse: A Community Action Manual” shortly after the Rodney King incident and its aftermath, has released an updated version. Portland Copwatch owes a lot of its early organizing to this document. The revised manual is now available in English and Spanish. Information includes:

- Civilian Review Boards
- Control of Police Shootings
- Reducing Police Brutality
- Ending Police Spying
- Oversight of Police Policy
- Improved Training
- Building Coalitions
- Monitoring Police (Copwatch)
- Using Open Record Laws
- Educating the Public
- Using the Political Process
- Lobbying State Legislatures

For excerpts from “Fighting Police Abuse: A Community Action Manual” and lots of helpful info on Police Accountability, visit the ACLU website:

http://www.aclu.org/issues/criminalpolice.html

Order a copy of the Manual from the website or from

ACLU of Northern California
1663 Mission St #460, San Francisco, CA 94103 (415) 621-2488

Got a Quick Flash from your town?
Call the Portland Copwatch office at (503) 236-3065
QUITE A DILEMMA

Detective David Schlegel reports in June’s Rap Sheet that Portland played host to the 1997 Western States Hostage Negotiators from April 28-30. The “great debate” among the 300 attending from as far away as New Mexico and Alaska: Whether to risk killing a suspect in order to prevent them from killing themselves.

DARE TO UNDERSTAND WHEN DRINKING IS COOL

Mark Schaffer of the PPB writes in the June Rap Sheet of his positive feelings conducting DARE classes at local schools. He reprints several essays by students telling what they learned in the program. Insights apparently taught (in the students’ own words) include: “the difference between gangs and the Boy Scouts is [that the] gangs cause crimes”; “[drugs] would lead you to gangs and violence and getting in trouble...Smoking makes your teeth yellow and can give you lung cancer. Drugs make you plain stupid and behind in school”; and “even though it seems cool to drink underage it's not.” Of course, it IS cool to drink after you’re 21, and no Boy Scout has ever engaged in criminal activity (just gays and atheists).

Also, we have to burst Schaffer’s bubble, but research done in four U.S. states and Canada—mostly funded by law enforcement—showed that there was no significant difference in drug use between those who went through DARE and those who did not. Drugs monitored included alcohol, tobacco, marijuana and glue. (“Studies find Drug Program Not Effective”, USA Today, October 11, 1993)

WHEN A POLICE ORDER IS JUST CONVERSATION

According to Assistant Deputy District Attorney Mike McLellan, an officer is simply conversing with a civilian as long as the civilian’s liberty is not restrained (June Rap Sheet). He claims in this way an officer’s conversation is just like any other person’s. However, picture yourself doing any of these things that are listed as specific examples of conversations (as opposed to police stops): Asking a driver to get out of a car before it is towed; asking for the identification for 3 people sitting in a parked truck; talking to a civilian lost their lives.

MR. SENSITIVITY STRIKES AGAIN

Rap Sheet Editor Loren Christensen wrote in June about how police are unable to go after them through DARE and those who did not. Drugs monitored included alcohol, tobacco, marijuana and glue. (“Studies find Drug Program Not Effective”, USA Today, October 11, 1993)

POLICE PRESENCE IN NE PORTLAND... A LITTLE TOO LATE?

If the theory is correct about Police allowing several shootings to occur in NE Portland, perhaps their subsequent show of force was a public relations move to bolster the notion that money should go to law enforcement instead of education, job training, and other programs to help reduce crime and violence.

The June 16 Oregonian page headline boasts “Police make their presence felt” in Northeast Portland after five shootings within a week. The article condones the police for stepping up stops and searches of suspected gang members. It is apparent that the suspects are primarily black, and the officers are all white. There is no question raised as to why black officers are not on this patrol. The officers quote the bible, cut some slack, and settle a $5 bet they made with someone on the street (hmm...General Order 316.40-Gambling—Members shall not engage in any form of gambling while on duty”). They also frisk someone at a “night club” in front of his friends. “People see this and don’t understand,” says Officer Randy Teig. “They don’t know them like I know them” he says, referring to the “gang” members.

July headline “Must, go...to...fun...center...”. He describes people who live under rocks 51 weeks a year and in June crawl out to Waterfront Park uttering those words. However, the humor turns sour when Christensen describes his typical “Rock Person” -- “The females are almost always overweight and sport bold tattoos just above their tube tops. Their gargantuan thighs protrude in lumps from ragged cut-off jeans, and cigarette dangle from lips smeared with blue cotton candy, and crusty mustard from [a] corn dog. There are usually three soiled kids...all from different fathers whose names the mothers have forgotten or never knew.” Although he also has harsh words for the male “Rock People,” this misogynist stereotyping and disdain toward heavy-set women coming from a police officer is particularly upsetting in light of the officer who injured a heavy woman by dragging her across a driveway (see “Chief Moose Undermines City Council” on p.1).

Personally, Christensen people who voted to “that an “innocent pedestrian” was accidentally shot downtown, mentioning that the man was gurned down during a “fun date with his wife.” The couple was on their way to the Rose Festival.

SHOOTINGS ROCK NE PORTLAND-- “SERVES ’EM RIGHT?”

Christensen goes on about the shootings in June (including the one mentioned above), most of which happened in NE Portland.

He predicts more gunshots and complains about not having enough officers to patrol the streets. In the April Rap Sheet Christensen mockingly suggested that the Police slow down their service. Now, Christensen people who voted to “that an “innocent pedestrian” was accidentally shot downtown, mentioning that the man was gurned down during a “fun date with his wife.” The couple was on their way to the Rose Festival.

The Gang Enforcement Team was going to be eliminated in June, and Ballot Measure 50 made funds available which were used to reestablish the GET. Would that have been a high priority if the shootings hadn’t happened? Did police allow the shootings to go on to justify their own budget? We sure hope not. Four civilians lost their lives.
As many Anti-Racist Action groups are making Copwatch a priority, it made a fitting focus for this issue of ARA News. The first two pages are devoted entirely to Copwatch. Unfortunately, the largest article on the first page (“Who Polices the Police?”) mostly recounts individual cases of police brutality, only one of which is local to Ohio, and several of which have received attention in the mainstream media. The second front page story (“The Copwatch Movement”) begins with a brief history of Copwatch, nationally and locally, and then moves on to discuss the recent experiences of Columbus Copwatch, including attacks from the police. One complaint on how the editors presented this piece: the Columbus accounts are important in their own right, and ought not be hidden on the inside of the publication when the article at first appears to be a history of the movement.

The third Copwatch-related story, “Columbus, Ohio: A Case Study,” is in its entirety a chronicle of local police abuse cases from the last several years, excerpted from a Copwatch pamphlet. This goes far in establishing the degree and variety in the police problem of the Columbus area.

The rest of the magazine is devoted to the more general topic of (anti)racism. It includes a worthy analysis of the recent Texaco scandal, reports on ARA actions near and far, and an excellent factsheet on welfare and corporate welfare.

All in all, the politics are good, and ARA does a remarkable job connecting racism to other issues — police brutality, corporate class struggle, sexism, prisons, the oppression of the young, and so on. Its approach to fighting racism is both broad and direct, clear and sophisticated, militant and approachable. Unfortunately most of this is lost in a sea of collaged, uninspiring “news-briefs”, taken entirely from other papers. Many of these items deserve reprinting but the effect is overwhelming, and the amateurish appearance of the collage undermines the slick look of the first pages.

CLIP AND FOLD THIS CARD INTO YOUR WALLET
Share it with a friend

This card is currently available in Vietnamese, Spanish, Russian and English (below). If you can retype the Russian card to fit a wallet-size format, to offer help translating into other languages, or for more copies, contact Copwatch at (503) 236-3065.

If police want to search you
they may pat you down to check for weapons. Make it clear you do not consent to any further search. If they say they have a search warrant, ask to see it. If they are searching your home or your car with “probable cause,” make it clear you do not consent to a search.

If you are arrested, you do not have to answer any questions, other than identifying yourself. Don’t offer excuses or explanations. Anything you say can be used against you. Just say, “I want to talk to a lawyer.” If you don’t have a lawyer, ask the police how to contact one.

If you are Copwatching, be sure to let officers know you don’t intend to interfere with the arrest. This means staying ten feet or more away from the action and not trying to distract the officers or the arrestee’s attention.

If you are the victim of police misconduct, be sure to get the names of all officers involved and supervisors names if possible. Get names and numbers of any witnesses to the action.

If you are the victim of police misuse of force, document injuries right away. You may wish to pursue any number of routes, from filing a complaint with the Police (IAD) to pursuing a lawsuit.

LIP is a collectively produced zine from Chicago, though this issue came out of Seattle. Nothing here directly relates to Copwatch (except an ad for Seattle’s Copwatch 206), but it’s pretty good reading anyway. Sometimes explicitly anarchist, LIP is theoretical, even philosophical, yet remains accessible in a way few left-based political zines manage. Still, despite professional-quality layout and sophisticated (and interesting) articles, it may be too text-ridden for many zine fans. Occasionally, the zine comes across as a sort of political academic journal, especially with articles such as its lengthy, fact-filled analysis and critique of consumerism. But, whether discussing the Green (Party) Movement or the Promise Keepers you can expect the writers to have an opinion, and to offer well-grounded arguments.

Two articles are of particular interest to those concerned with police accountability. One is the first installment in a series exploring the CIA-crack connection, its relation to the drug war and the imprisonment of many African Americans. This account is detailed and thorough, including many facts omitted from major papers, while remaining clear and easy to understand. The other article is an account of this spring’s ruckus in Seattle, in which police attacked the Critical Mass bicycle ride. The author discusses the importance of biking, critiques Critical Mass’ strategy for making bicycles and biking issues more visible, and discusses the police and community response.

Overall, there is little here of nuts-and-bolts day-to-day use for activists and community organizers, but it does have great appeal for the political theorist.

Back issues of LIP and the police abuse list-serve archive available:
http://www.NETural.com/lip
Portland Police Association (PPA) Secretary-Treasurer Tom Mack usually has no sympathies for the folks he sees as criminals. However, after the Police Bureau cracked down on cell phone use because of excessive personal calls, Mack wrote a piece in the June Rap Sheet calling the new policies a violation of the Police Officers’ Bill of Rights (Article 62, PPA Contract). “A violation of one man’s rights is a violation of all men’s rights.” How odd that he continues the article by objecting to Internal Affairs sustaining complaints of police misconduct.

Incidentally, for those of you searching these pages for comments on the Cell Phone debacle in the Bureau, you can stop now. We think the mainstream media has spent way too much time on the issue. While misuse of taxpayer money is a problem, public scrutiny should be focused on the money paid out in lawsuits and out-of-court settlements each year due to police misconduct, as well as other stories about police accountability having to do with human rights, not phone calls.

AND THE WARRIOR MENTALITY

Perhaps as a morale booster after the cell phone brouhaha, Mack gives a pep talk to the cops—“God’s Chosen Few...warriors who go out every day to scare off vermin and villains” (“Portland police officers stand tall,” July, 1997). Perhaps in tribute to his vision of police as warriors, Mack and two other officers fatally shot a bank robbery suspect in June 1994 (the ultimate violation of one man’s rights).

Mack goes on to say that the Police protect those who are invisible to the rest of society, and that they “not only protect the victims but also defend and protect the oppressors from themselves and society.” He probably means they believe they protect the rights of the criminal suspects—but read literally, he means they protect the oppressors—the capitalist ruling class—from the rest of society. Hey, Tom, you should be lecturing with Noam Chomsky!

CELL PHONES STIR CIVIL LIBERTARIANS AT PPB...

Police are encouraged to “Slow Down for Safety’s Sake” in an article by M.F. Roberts in May’s Rap Sheet. He notes that most disabling injuries to police happen in auto accidents. He suggests that cops (a) slow down and (b) set an example for civilians by following the laws. What an interesting concept.

Almost undoing his argument, Roberts exempts officers on graveyard duty “creaking around without their headlights on at 3 AM.” Can you think of anything more safe than driving really slow in the pitch black night with your headlights off?

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DRIVING TIPS: FOLLOW THE LAW

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(continued on p. 10)