NEW CHIEF KROEKER: A POLITICIAN, A COP, A WHITE GUY

On December 9, Mayor Vera Katz announced that Portland’s new police chief would be Mark Kroeker of Los Angeles. Kroeker resigned as assistant chief after being passed over when L.A. selected their “top cop” in 1997. According to his résumé, he has been working most recently with U.N.-trained police forces in Bosnia and a “Palestinian-Israeli Anti-Incitement Committee” which nobody seems to know much about. Prior to those two jobs, he was consulted by the Department of Justice on “police reform projects in Haiti, Rwanda and Burundi,” heading up the “Haiti National Police Development Team.”

While it would be easy for us to characterize someone on the basis of these resume items—especially someone coming from Los Angeles, not known as a bastion of restrained police—Kroeker revealed much about himself in his two visits to Portland in early December.

At a forum where he and fellow finalist Ron Monroe of Washington, DC, were each asked one hour’s worth of questions, Kroeker showed himself to be a smooth politician. He answered most questions with “wait and see” kinds of answers, even when asked for his personal opinions.

A few exceptions included a declarative statement that he has no personal feelings which will interfere with his ability to continue growing good relationships with the gay/lesbian/transgender community. This was an important remark because Kroeker is a born-again Christian.

When asked how he would handle a large-scale demonstration such as the anti-WTO protests in Seattle, he suggested he would gather as much intelligence about the organizers as possible beforehand, but denied that meant he would use undercover agents to accomplish the task.

RAIDS ON ORGANIZERS’ OFFICE AND ACTIVIST’S HOME: The FBI Still Hates Protestors

On February 2, 2000, the FBI raided the Liberation Collective’s office, located in downtown Portland. At the same time, members of the FBI, the Bureau of Alcohol, Tobacco, and Firearms [BATF], and the U.S. Forest Service raided the home of former Liberation Collective member Craig Rosebraugh. Rosebraugh was also given a subpoena to appear before a Grand Jury.

The Liberation Collective is an activist organization with experience working on a wide variety of issues including animal rights. Their office, also known as the Center for Revolution, doubles as a retail space for radical literature, fake-leather boots, and...
PORTLAND’S “POLICE REVIEW BOARD” (PIIAC) RELEASES ANNUAL REPORT; HOLDS MEETING IN NEIGHBORHOOD

On January 26, Portland’s “Police Review Board,” the Police Internal Investigations Auditing Committee (PIIAC) released their first report on police misconduct in over a year. The report contains a number of valuable insights, including that for the first time in a long time all 13 seats set aside for PIIAC Citizen Advisors are filled.

It notes one case (#99-16) in which an officer asked a woman who didn’t follow his orders whether she was a “fucking mental.” PIIAC recommends that the General Order (GO) covering Courtesy (#310.40) be “re-examined in relation to the use of profanity.” Currently, the GO says “no member shall use profanity in the performance of their duties except where necessary to establish control or to quote another person in police reports or testimony.” PIIAC accurately notes that “there has been a steady stream of PIIAC appeals in which citizens have alleged that police officers have used profane or insulting language in an inflammatory manner that only tended to exacerbate an already volatile situation.” Mayor Katz strongly agreed at the public presentation of the report to City Council.

What is missing, however, is the other half of the GO, which covers “epithets and terms” officers are not to use, including ones about a person’s race, gender, sexuality, nationality, ethnicity or religion. It seems clear from case 99-16 that the list should also include “mental or physical capabilities” as personal traits about which officers should not make derogatory remarks. PIIAC is apparently checking that part of the GO and may make further recommendations to restrict officers.

One other problem is that the report only includes summaries of 11 out of 25 cases reviewed by PIIAC in 1999. A few years ago, they began including summaries of all appealed cases, which helps the public understand the nature of the complaints. It’s interesting to note, too, that in all of 1999 and so far in 2000, no cases have been sent back for further investigation or for a changed finding.

Another key point raised by PIIAC is that 25 percent of the complaints in 1998 and 1999 to Internal Affairs came from African-Americans, though the African-American population of Portland is only about 7%. PIIAC’s report recommends a stronger diversity training for all officers.

PIIAC also recommended that the public—as well as the police—be advised of what to do during a traffic stop. A number of cases have come up in which officers tell the citizen to keep their hands on the wheel, and then ask for a driver’s license, creating confusion. Mayor Katz did not like the idea of making Public Service Announcements (PSA) about people’s rights and responsibilities when pulled over. That’s too bad. We hope to get such a PSA in English and Spanish from the Police-Barrio Relations Project in Philadelphia. If you think Mayor Katz should sponsor them here, let her know.

In March, PIIAC took their meeting out to a neighborhood for the first time since May, 1999. The meeting at Bethel AME Church in Northeast had a guest audience of about 20 interested citizens, Precinct Commander Derrick Foxworth, Mayor Katz and Chief Kroeker. The meeting began with a self-congratulatory set of recognition awards being given to Chair Charles Ford and Monitoring Committee advisors Robert Wells and Bob Ueland. While the Internal Affairs sergeants and other city officials applauded, the audience, most of whom had never been to a PIIAC meeting before, sat silently bewildered. The meeting continued with very little explanation of the procedure, leading to a public input segment at the end filled with frustrated citizens who wanted the review body to do more than just review Internal Affairs documents.

Staff Person Dr. Mike Hess became defensive both of the police and the Citizen Advisors, although it seemed the crowd was more concerned with the idea of having to go to the police to file complaints about the police, and with the prevalent situation in which an officer’s word is weighed more heavily than a citizen’s when there is no other information available.

A representative of the Police Accountability Campaign 2000 introduced their proposed initiative to strengthen PIIAC (see story, pp. 1&3). Although Ford was quoted in the March 7 Oregonian as saying “How are they to say the job we are doing is not a tough job when they don’t come to our meetings?”, it was made clear that PIIAC is only doing as thorough a job as they can under the current City Code.

As for the possibility that the current PIIAC members might support a stronger mandate, Ford is also quoted saying “As chairperson, I’m satisfied with where we are and the progress we are making.”

We welcome the input of the other 12 Citizen Advisors.

For more information, you can contact Dr. Hess and PIIAC at 823-4126 .

Visit the Copwatch website: www.teleport.com/~copwatch or email us at copwatch@teleport.com
or point out its flaws. There is a brief mention of a “backlog” leading to an average resolution time of 13 months. The official goal of Internal Affairs used to be 60 days; IAD Captain Bret Smith is quoted as saying his goal is to resolve the issues in 6 months.

CPAC itself was featured in front-page stories in street roots and the Portland Alliance. Street roots, a monthly paper by and about Portland’s homeless community, covered the group’s discussions of racial profiling by police and of gentrification in Northeast Portland. National Lawyers Guild attorney and CPAC co-founder Alan Graf articulated the general problems of policing in Portland (and throughout the country): “The police have been given a tremendous amount of power by our current Supreme Court. It’s very difficult to sue a cop, and if you win, the city pays.”

The Portland Alliance, a monthly paper covering social justice issues, explains that City Council is the actual police review board (PIIAC), but gives weight to the decisions of the 13 Citizen Advisors. However the Alliance notes that under the current structure, “the police chief may ignore PIIAC votes, in effect giving the police veto power over civilian authority.”

A February 2 Willamette Week article featured interviews with a number of people including PIIAC Citizen Advisor and Vice Chair Denise Stone. We couldn’t have said it better than Stone: vesting authority in the police chief to ignore PIIAC and City Council’s findings “takes all the damn steam out of the work [PIIAC does].”

Another of CPAC’s founders, radio personality and mayoral candidate Bruce Broussard, has gotten the local chapter of the NAACP to sign on to the four main points endorsed by CPAC.

On February 15, the general body of CPAC voted to file a ballot initiative based on these four points. In order to run an initiative campaign, PAC-2000 was formed as an independent organization. The proposed initiative would give PIIAC power to:

1) Have final say about the merits of allegations of police misconduct, and make recommendations for disciplinary action; 2) Take complaints directly from the public and investigate them, subpoena police and civilians as witnesses, and continue reviewing IAD appeals; 3) Review all police shootings and deaths in custody; and 4) Hold public hearings on police policy and mandate appropriate changes.

In order to qualify for the November ballot, PAC-2000 must gather 25,000 signatures by July 7.

For more information you can contact CPAC (the educational campaign) through the NAACP Legal Redress Committee at (503) 701-0457, or Police Accountability Campaign 2000 (the initiative campaign) at (503) 287-2255, website: www.geocities.com/portlandpaci2000.

NEW YORK REVIEW BOARD CRITICIZED BY ITS CREATORS

The New York Civil Liberties Union, one of the driving forces behind the creation of the Civilian Complaint Review Board [CCRB] in New York City, released a report in December saying the board had “failed in its mission to provide meaningful oversight of police practices” (Associated Press, December 30, 1999). The report notes that only about 1500 of 15,000 complaints (about 10%) were sent to the Police Commissioner to take disciplinary action, and that only 371 of those cases resulted in discipline (about 2.5% of all the complaints).

The AP quotes Norman Siegel, director of the NYCLU, as saying “It’s thousands of New Yorkers...especially African-Americans and Latinos, especially young men, who, on a daily basis, are harassed by police officers, and there is still no effective mechanism to get accountability and justice and fairness for the victims of police abuse.” He ultimately blames Mayor Rudolph Giuliani and Police Commissioner Howard Safir for not taking the mandate of the CCRB seriously.

In the wake of the Abner Louima sodomy case and just prior to the 1998 elections, Giuliani assembled a task force to look at improvements that could be made. After he was re-elected, Giuliani ignored the findings of the task force. We don’t know which is scarier—New York City as a police state, or the possibility that Giuliani could be elected as a U.S. Senator and push his views on the rest of America.

CINCINNATI CITY MANAGER URGED TO CONSULT REVIEW BOARD AFTER SHOOTING CASE

The Cincinnati Citizens Police Review Board [CPRB] was still reviewing the case of an unarmed man who was shot by police officer Brent McCurley when City Manager John Shirey “decided not to fire or suspend” McCurley (Cincinnati Post, January 4). Apparently, the City Council wants to compel the City Manager to wait for recommendations from the board before imposing discipline, but the city’s charter doesn’t allow for that to happen.

The Review Board, which began working in late 1999, has concerns about changing the charter and risking a situation in which the City Manager would stop cooperating with them. The Deputy City Solicitor suggested that language be added “urging” the City Manager to wait for the CPRB’s recommendations without mandating the action.

Such monkey wrenches in police accountability plans are becoming increasingly common, as evidenced in Eugene in 1998. There, activists had to first try to change the city charter just to allow City Council to establish a review board (see PPR 14). That effort failed by a narrow margin, and Eugene still does not have a police review board. Nonetheless, it is encouraging that the Cincinnati review board has purview over police shootings, since this is one power Portland’s PIIAC needs in order to be effective.

Bank Problem Triggers Tigard Police To Shoot; Salem Police Shoot and Kill Motorist

On December 31, when a 29-year-old man arrived at Tigard KeyBank and threatened employees with a knife, he cut and shot him three times with lead-pellet (“bean”) bags and then with a bullet in the abdomen. As of January 1, 2000, the Oregonian reported that the man was “upset with the bank over a check,” that the shooting was “under investigation,” and that both officers had been placed on administrative leave. Police Chief Ron Goodpaster said “Everything we have learned up to this point indicated the officers acted in a proper manner.” The unidentified victim was taken to OHSU Hospital where he underwent surgery.

Less than three weeks later, Salem police fired at and killed a 23-year-old man attempting to drive away from the scene of an accident where he had crashed into a fence. As officers surrounded and tried to speak to the driver, he put the car into reverse, backed onto the street, and hit a passing car and one of the police cars (Oregonian, January 17). Police Corporal John Humphreys, and Officers Bill Fischer and Tom Brennan (none of whom were injured) all fired shots, killing the driver at the scene. The officers were placed on administrative leave “with pay pending the outcome of an Oregon State Police investigation.”

So, although our “21st Century” police are supposedly being trained to defuse dangerous situations, shootings continue around the state.
SECOND POLICE OVERTIME SCANDAL EXPOSED; Stress Disability Awarded to Two

In addition to the overtime scandal in which Portland Police clocked in for $165,000 worth of overtime (let’s call it the Central Precinct overtime scandal—see PPR 18), it has been revealed that officers have been feeding from the overtime trough for years under questionable circumstances.

The Oregonian reports that 17 officers each made $30,000 in overtime in 1999, and that every year since 1995 the Police Bureau was at least $1 million over budget on overtime (March 9). Practices included registering hours between the end of a night shift and court time the next day as overtime. In other words, the officers would get off duty at 4 AM, go to court at 9 AM, be done at 2 PM and charge the city for 10 hours of overtime (4 AM to 2 PM) although they were actually not working for at least five hours. Fortunately, the City’s new contract with the PPA (see sidebar) has made clear exactly what does count as overtime worked.

In a March 11 editorial, the Oregonian called oversight of the Bureau’s time slips “abysmal” and the behavior of the officers taking advantage of contract loopholes “scandalous.”

Attorney Spencer Neal, in a letter to the Oregonian (December 26, 1999), wondered why the FBI had not yet been called in to investigate the Central Precinct overtime scandal. Neal, Portland’s most infamous lawyer when it comes to challenging police misconduct, noted a number of potential criminal charges which could have been levied against citizens had they “stolen” money from the City. “Maybe this matter is beyond the capabilities of the Multnomah County District Attorney’s Office, which relies upon these same officers to get convictions when private citizens are being prosecuted for similar crimes.”

On December 15, the Oregonian reported that county prosecutors are working with the Oregon Attorney General’s office as well as the U.S. Department of Justice’s Office of the Inspector General. District Attorney Mike Schrunk claims that the federal and state assistance is only to “ascertain what the facts are.”

The article explains that testimony police were compelled to give cannot be used against them in criminal prosecution, but says that those statements might be used to build cases against other officers.

Meanwhile, Sergeants Richard Barton, Bradford Bailey and Rocky Balada, facing termination or criminal prosecution, but says that those statements might be used to build cases against other officers.

Portland Police rarely, if ever, support union campaigns but in January the police officers’ “union,” the Portland Police Association, launched its own full-throttle campaign for higher salaries. Off-duty cops attempted to employ grassroots organizing tactics and took to the streets to meet the public face-to-face (weapons and uniforms were set aside). Cops saturated key public places with saccharined propaganda bemoaning the poverty of the Police Bureau and framed by noble portraits of the mounted patrol in full regalia.

On February 17, to the satisfaction of the leadership of the Portland Police Association, City Council agreed to give 10.7% raises over three years, on top of annual increases for inflation, which they receive already. Now, conveniently after that settlement, the public has been confronted with the news that the new police labor contract will put the city’s general fund half a million dollars in debt, ostensibly due to spreadsheet miscalculations and compounded by a higher Consumer Price Index [CPI] than City Hall had anticipated for this year (3.7% rather than 3.2%)—adding about $1 million in projected wage costs for next year (Oregonian and Willamette Week, February 23).

Top-level police officers in Portland are already the highest paid in the state ($51,372 salary), and officers reach this level after serving only five years. However, as they lobbied City Council, the Portland Police Association insisted that Portland lacked financial incentives for recruiting and keeping high quality officers. Well, we wouldn’t want our 975 members of the Portland Police to suffer stagnant salaries and comparably lower compensation, but the argument that they do is a gross distortion. Attorney Garry Bullard, in a February 8 letter to the Oregonian, asserts that police raises amounted to a cumulative 81% across-the-board salary increase over the past 14 years (he figures the cumulative CPI increase for the same period was 63.5%). Under the proposed contract, Portland Police will get:

Three cost-of-living adjustments, “Longevity pay increases,” and a 2.7% across-the-board pay increase for all officers effective July 1, 2002 (Oregonian, February 19). This would result in top-step officers, earning a hefty $56,820 a year, $5500 more per year than at present. To illustrate the extraordinary impact of these changes, the Oregonian reports that “a 25-year veteran would get a 16.7 percent wage increase by the end of the contract [two years from now].”

Entry level officers’ salaries would rise 23% from $31,308 to $38,652 a year. The public should note that entry level police officers earn considerably more than entry-level public school teachers, and are roughly on par with college professors just starting out. Better to police the youngsters than to teach them?!

Portland Fattens Police Salaries

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NEW CHIEF KROEKER (continued from p.1)

Another specific Kroeker let on to was that he feels, in terms of accountability, that the “buck stops” with him. Notwithstanding that the Mayor is actually the Commissioner of Police, and will be his boss, this is particularly disturbing since his predecessor Chief Moose refused to change findings in two cases of misconduct after a majority of City Council voted for him to do so. The structure of our police review system makes Council’s votes advisory (see articles on the review board, p. 2, and efforts to change it, pp. 1&3).

The Willamette Week responded to the Mayor’s choice for a new Chief with a quasi-racist headline, referring to the fact that Monroe is black and Kroeker white: “Ebony and Ivory: Vera Katz chooses the white guy” (December 15, 1999). Praising Katz for having “the courage to appoint a white man to be this city’s police chief,” WW went on to explain that Monroe seemed to them more of a bureaucrat with less experience as a street cop. They note that Kroeker is credited with bringing “peace to the San Fernando Valley during the riots following the Rodney King verdict.”

Within days of his hiring, Kroeker was put in charge of continuing a massive training effort to quell any possible disturbances on New Year’s Eve in Portland. When the big night arrived, police set up checkpoints in a huge area of downtown, stopping and checking people’s bags for weapons, liquor, and such frightening objects as blankets which might have been smuggled into the City’s celebration of the new Millennium at Pioneer Courthouse Square.

One person who attended the event e-mailed Copwatch, reporting that shortly after midnight he was “deeply disturbed by the sight of dozens of police in riot gear, some carrying bean-bag shotguns, closing in on the Square.”

Chief Kroeker is quoted in the January 2 Oregonian saying “I told everyone to be alert at this hour...I couldn’t have asked for a better evening.” Obviously this means we’re in for more checkpoints and police in riot gear at so-called family events.

Kroeker has made a point of wanting to improve relations between the community and the police. At his inaugural news conference, he was asked, given that philosophy, how he felt about allowing the community to be involved in investigating deaths in custody and police shootings. He said he’d have to see how things are done now, but stated that the Police Bureau should be a transparent and open organization....keeping in mind the concerns of liability from the City Attorney and the issue of privacy for the officers. In other words, he seems to support the status quo. Let’s hope his connections to Los Angeles don’t mean a slide backward into more corruption, brutality and racism, and that his pledge to dialogue with the community is more than just lip service.

Portions of this article appeared previously in the January Portland Alliance. For other information on Chief Kroeker, see “Rapping Back” on the back page.

Back East, Charles Moose continues to have troubled troops

Since leaving his position as Portland Police Chief, Charles A. Moose is still dealing with trouble. In his position as Montgomery County, MD, Police Chief, Moose has requested $680,000 to install cameras in county patrol cars, as reported in the January 17 Washington Post. The cameras would go in cars in the Silver Spring District and be installed this summer. Moose chose the Silver Spring District “because that station receives more citizen complaints than the department’s other four districts.”

Moose’s total request for $1,000,000, upon council approval, would also cover the costs of Spanish-language classes for officers and recruitment efforts targeting minorities for officer positions. Moose eventually wants cameras in all of the patrol cars.

While Montgomery NAACP President Linda M. Plummer “hauled Moose’s initiative,” the idea was not the Chief’s own, but the result of a settlement reached last year between the County and the family of Junious W. Roberts, an unarmed black man who was shot by a County officer in April, 1999. In addition, the U.S. Justice Department worked to require all Montgomery County officers to log traffic stops for race, gender, and age, presumably to cut down on perceived racial profiling.

The Post reports that the International Association of Chiefs of Police endorses the use of video cameras in patrol cars, and gives information on a Justice Department study about the cameras. The study found 73 percent of state law agencies, 53 percent of county, and 41 percent of municipal police use patrol car cameras. These numbers and endorsement may make one wonder why the president of the Montgomery Fraternal Order of Police voiced concerns that the use of cameras could spur unfounded lawsuits and the legal liability of the officers involved.

Good luck Charles.

While Moose was still in Portland when the shooting of Junious Roberts occurred, shootings of civilians continue to occur under his watch in Montgomery County, Maryland. According to the Associated Press (November 10, 1999), three county officers were monitoring a late-night deli following a series of armed robberies. During the stakeout, a car parked in front of the deli was found to be stolen. When police approached the car in their vehicles, the driver of the stolen vehicle allegedly accelerated and rammed a police vehicle, backed up and crashed through the deli door, then sped forward toward the same police car. Police opened fire and struck the man repeatedly. At the time, the man was listed in stable condition. Moose is quoted as saying it is not known if the man was responsible for any of the robberies.

PEOPLE’S POLICE REPORT HEADLINE DEADLINES: (the following stories all came in after our initial story deadline)

Grand Jury OK’s death in police custody: Eight unnamed Portland officers were cleared of wrongdoing in the December 5 death of Damon Lowery, 29, allegedly high on hallucinogenic mushrooms; Lowery crashed through a window and cut his throat after police threatened to burst into his friend’s home; the D.A. says he died in a neighbor’s yard after police shot him at least 10 lead-pellet-bag rounds and before the ambulance arrived (Oregonian, February 3).

Cop rats citizens in bus stop: On February 29, Portland officer Brian Hubbard, attempting to chase a man who had “trespassed” in downtown’s Drug Free Zone during rush hour, lost control of his police car on West Burnside Street and hit Mark Lajoi, who was sitting in a bus shelter (Oregonian, March 2).

Spy Scandal update: The Police Bureau has not been auditing its Criminal Intelligence Unit as ordered by Judge Michael Marcus in 1996, according to a document filed by City Attorney Jeff Rogers. Possible contempt proceedings and related arrest issues are scheduled to be back in court in early May (background in PPR 19).

THE JAN. 4 OREGONIAN estimates the overtime and other costs for police presence at the Portland New Year’s event was $400,000.

The February 23 Willamette Week reports that in preparation for Y2K, Portland Police bought 100 rubber grenades, 200 “stingball” grenades with pellets, 400 “low-energy” rubber batons, 12 barricade penetrators and 15 grenade launchers.

Chief Moose at his ill-fated appearance before City Council telling Portland it was “a joke” for him to live in the Northeast community here.
MURAL BRINGS POLICE RACISM TO THE PUBLIC EYE

If you’ve cruised down Martin Luther King, Jr. Boulevard lately, you’ve probably noticed the graffiti mural painted on the side of Galore Paging. If you’ve taken a closer look, you may have observed that the piece is not only colorful and artistic in its expression, but political in its content. Curious to find out what else he had to say, we tracked down the artist, Tazroc, for an interview.

Copwatch: When did you get started with graffiti?
Tazroc: Well, I’ve been doing it for about 13 years. I started with illegal walls. And about 11 years ago I organized a legal wall, ‘cause we were being chased by police. What happened actually is that my friend got bit by a police dog before we quit doing illegal, ‘cause it was getting really out of hand—

CW: This was in Portland?
TR: This was actually in Eugene. So we organized a legal wall, so that we could paint any time and we wouldn’t have any problems. And I would use it for my expressions, whatever I felt like doing. And it kept a lot of kids from doing illegal.

And it kind of inspired a lot of artists to keep painting, and that was just my goal—to get people to start painting, and stay inspired. And then I moved up here about 5/6 years ago, and started organizing youth hip-hop functions with graffiti and hip hop culture. I legalized a wall at the end of last year and it was for the same reason—to keep kids doing it legal, to inspire each other, to learn... to just make it more positive. ‘cause I know a lot of kids that do illegal graffiti...and I want to keep them...out of jail, basically...

In the mural [on MLK], I’m trying to express to everybody what’s going on around them, and who it’s affecting. And if we don’t do something to change it, it’s not going to get any better. [In the mural] I have capitalists and police, just looking down at the people and laughing...watching people hurt themselves. I was traveling around the country about two years ago, and every city I went to they were building a new jail, and passing laws like Measure 11. All these things make it hard for people, keep them from getting a second chance. I’ve been in the system. I just see all these people together—the same class of people—that will all eventually be put in jail—brushed off, cleaned up. That’s what the mural is about. Those people just watching and waiting. Nobody wants crime...in their neighborhood, but there’s gotta be alternatives. There’s no rehabilitation in jail, so its like all these people are getting put away and I see it all the time. There are no role models out there any more, just punishment, that’s it. There’s no other way to go. So what we try to offer is our culture—graffiti and hip-hop...to offer that as a way to go.

I’ve done presentations in the penitentiary... at MacLaren [Juvenile Center], just trying to inspire the people in jail.

CW: It also seemed like there was a pretty direct relationship between the white capitalists and police, and then the communities they’re affecting—as if they’re creating the social problems.

TR: That’s what I was trying to do in the beginning...to make it look like it was a cage that we were in. Everyone is separated. Colors are separated. Blacks, Mexicans—we’re all in sections, and that’s the way they want it.

I’ve lived in a lot of neighborhoods and I’ve seen how it is... I wanted to get across that everything is going according to plan. [In the mural] the judge has a gavel and is sentencing people. Hitting it like a hammer...I’ve been to jail and guards would be like, “Garcia, I thought we had you all.” Y’know there’s nothing but Mexicans in that jail. What does that tell you? There’s nothing but Mexicans and Blacks, it’s ridiculous.

And I really try to focus on the kids, expressionistically. Because babies are innocent, and they’re going to be a product of their environment. They’re going to take what they see as natural—alcohol, drugs. The message was aimed towards everybody. A lot of people are smart, but they do ignorant things to get by because it’s all they know. That’s why I do my art, to direct my energy away from drugs, crime, gangs. I did that mural for the message, but I also did it to inspire people.

In 1990, following an incident in which his brother was brutalized by a Eugene police officer, Tazroc painted a mural called “Panic Stricken.” Reflecting in the eyes of the person he painted was a police officer raising his billy club. We asked him to tell us a bit more about his experiences with the police.

TR: [Personally] I’ve had less problems here with cops than in smaller towns. There was an incident right in front of my house. It happened to be all white cops beating a black guy. My friend has been kicked in the knee by a cop. The cops harassed me a lot in Eugene.

Some cops get really personal with you, and don’t really do their jobs. My experience is that some cops can’t handle stress, and so they’ll take things personally...like they’ll get mad and stuff like that.

I get pulled over a lot for DWM. Driving While Mexican. I just see something wrong with that. Because of my experiences, I don’t drive around late at night. I don’t have a car that attracts a lot of attention anymore. Cops would see me, pull me over in a second thinking “hmm...low steering wheel, ’64 Impala, Mexican...” I had a cop pull a gun on me for no reason. It does bother me because I’m constantly thinking about it. It’s always there. I don’t worry about me as much as my kid. Once I was pulled over and taken to jail while he was left there. Then one day I took him downtown with me. There was a taxi cab up ahead with the door open. He flipped out, thinking it was a cop car. He’s only three years old. He doesn’t need to grow up with that.

I can’t say all cops are bad. I have friends who are cops. But I know there’s those cops out there that can’t handle their job. I think if there are cops, they should patrol in the neighborhoods they grow up in, or they live in. So that it would be more trusting for the community. I see a lot of older white cops around neighborhoods, that, y’know, I know they didn’t grow up in.

Next year I’m hoping to propose something to the school districts to get a mural at each school. When I was in school there was nothing for me to paint. The only walls were illegal. Every school needs to set aside a section. It would reduce the tagging, and direct the kids that have no other outlets... I want to help keep graffiti art in a positive way. I’m trying to get out there and reach people; to brighten up neighborhoods.  

Tazroc, with a group called Def Con 5, also organizes presentations of Hip-Hop culture for schools and youth organizations.

Performances include djs, rap, graffiti art, and break-dancing. To reach Tazroc or Def Con 5, page (503) 599-9191.

APRIL 2000  PEOPLE’S POLICE REPORT #20
F.B.I. RAID ON ACTIVISTS (continued from p.1)

For more information on Rosebraugh’s case, contact 478-0902; to get updates from the Liberation Collective, call 525-4975.

MOTHER OF CHILD SNATCHED BY RIOT POLICE CLEARED IN COURT; PLANS SUIT

Kendra Smith Rosser, the woman whose one-year-old infant was snatched from her by Portland Police during a protest against police misconduct in August, 1998, was cleared of all criminal charges in court in January. The protest arose after police shut down the rally whose purpose is political rather than legal: to harass and spy on activists and suppress their attempts at organizing.

The Grand Jury is unlike any other American legal institution, except perhaps the House UnAmerican Activities Committee of the 1950’s. Witnesses called to testify before the Grand Jury do not retain their usual Fifth Amendment rights, such as the right to legal counsel or the right to remain silent during questioning. If they choose not to cooperate with the investigation, they can be held in contempt of court, and imprisoned for up to eighteen months without trial or bail.

Historically, Grand Juries have been used against anti-war activists and feminists organizers, as well as members of organizations such as the Communist Party and the American Indian Movement. Despite the attempts to silence and divide the activist community, people are supporting Craig Rosebraugh. On February 22, a forum was held to discuss how Grand Juries work and how to beat them. Demonstrations in solidarity with Rosebraugh occurred around the country on February 29, the day of his scheduled appearance. Rosebraugh appeared as ordered, but refused to testify. He was then released, but was ordered to appear again to show cause for his refusal.

Approximately 70 people rallied outside the courthouse during Rosebraugh’s appearance. Police surveillance of the rally was obvious, including the open use of still and video cameras. And the mounted patrol made the usual nuisance of themselves. One woman was taken into custody and released without charges; one man was arrested for allegedly stepping off the sidewalk one hour prior to the arrest. He was charged with disorderly conduct.

We will keep you posted as to the continuing pressures from various law enforcement agencies.

Kendra Smith Rosser, the woman whose one-year-old infant was snatched from her by Portland Police during a protest against police misconduct in August, 1998, was cleared of all criminal charges in court in January. The protest arose after police shut down a planned party before it happened and then refused to allow the African-American organizers of that event to file a complaint. After the protesters had marched to the police station and to Chief Moose’s house, they gathered in front of Rosser’s apartment building on NE Martin Luther King, Jr. Boulevard (see PPRs 16 & 17 for more info). According to the February 9 Skanner, “when police armed with billy clubs, shields and beanbag guns ordered the crowd to disperse, [Rosser] was caught in the middle between officers and fleeing members of the crowd.”

Rosser was found not guilty on charges of resisting arrest, criminal trespass and interfering in an emergency, while a disorderly conduct charge was “dropped after being deemed unconstitutional.”

Rosser indicated that she intends to file suit against the police. Stay tuned for future developments.

PUNK ROCK RECORDS. No one was present when the feds raided at 8 AM, and rather than wait nicely to be let in they decided to destroy the padlock securing the space. Once inside, they took phone lists, pictures, merchandise, video and audio tapes, and material on youth liberation. They also copied information from the office’s computer.

Federal agents weren’t so nice to Rosebraugh. They entered his house at 8 AM, and detained him and his three roommates in their living room for six hours while they searched the rest of the house. Officially the search was done to gather evidence on the Earth Liberation Front and Animal Liberation Front actions. In the past, Rosebraugh has received a number of anonymous messages from the ELF and ALF, and distributed them to nation-wide media. (The ELF has claimed responsibility for the destruction of the Tule Elk Lodge in Vail, Colorado, causing $12 million in damages. Authorities have yet to find a suspect.)

However, the search itself was more extensive — and destructive — than the official reasons seem to justify. The feds seized three computers (two of which belong to Rosebraugh’s housemates), telephone directories, media contact lists, books, cameras, and a mailing list of close to 5,000 people. They also made a point of destroying or defacing a number of his personal effects, some of which were of obvious sentimental value.

At the time of the search, Rosebraugh was issued a subpoena to testify before a Grand Jury in Portland. On February 18, he received further notice that he is himself an official target of the Grand Jury. The Grand Jury is supposedly investigating the Vail arson, but it seems its real purpose is political rather than legal: to harass and spy on activists and suppress their attempts at organizing.

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WORLD TRADE ORGANIZATION PROTESTS:
The Activism Continues

Remember the World Trade Organization (WTO) protests in Seattle last November? The world was shocked by the televised spectacle of police attacking protesters with batons, pepper spray, teargas, and rubber bullets. Masked “anarchists” broke windows and wrote “We are winning” in spraypaint all over downtown. The residents of Capitol Hill bravely confronted overseas police. Seattle Mayor Paul Schell declared a State of Emergency, and called the National Guard to enforce both a 7 PM curfew and a ban on all protests. Over six hundred people were arrested. Stories circulated about prisoners being tortured, held without bond or legal representation. Thousands of people violated the ban on demonstrations, and several hundred surrounded the King County Jail until lawyers were allowed to meet with those arrested. The WTO itself suffered enormous set-backs, from the cancellation of the opening ceremony, to ending without an agreement for another round of talks.

Of course, there’s plenty to say about what happened in Seattle—about the police violence, the suspension of constitutional rights, the distortions in the media, the political fallout. Several members of Copwatch attended and observed much of what happened first-hand. We want to provide an analysis and some advice based on the much-talked-about events.

The analysis: There can be little doubt among those present at the demonstrations as to the role of the police in our society. When presented with a clear conflict between the general public and the interests of global capital, the police were firmly on the side of capital. Without regard to human or civil rights, the safety or well-being of demonstrators and the public at large, the law itself, or even their own interests as workers—the police acted viciously to defend the interests of the representatives of the ruling class. Not the law, nor our rights, nor common human decency could act to restrain them. It’s a miracle no one was killed by the cops. It’s a miracle no one was killed by the cops.

The advice: People are still facing charges. Lawsuits are in the works. The Activism Continues

PEPPER SPRAY:
Portland Professors & Berkeley Police

On February 5, citizens of Portland sent a letter to Portland’s City Council, City Attorney and City Auditor condemning the Police Bureau’s use of pepper spray and certain restraint holds such as hogtying. The letter, signed by professors from four local Universities and ten others, cites the Amnesty International report, United States of America/Rights for All (1998) (see PPR 16). The authors note that the AI study “shows that each by itself—the pepper spray or one of the ‘dangerous’ restraint holds—can kill.” The letter specifically refers to the death of Dickie Dow in October 1998 (see PPRs 16-19) as one case in Portland in which death resulted from such police actions. They also make the very good point that the dozens of people who died after being hogtied by the LAPD since the mid-80s were only suspects, and should have been presumed innocent under our legal system.

Mayor Katz responded on March 8, pointing out with carefully chosen words that Amnesty’s report “contends that the spray ‘may’ have been a contributing factor in some deaths.” She states that the PPB may only use pepper spray “when persons display the intent to use violent, aggressive actions or offer physical resistance...pepper spray may not be used when officers are faced with passive resistance.”

Mayor Katz goes on to describe how the PPB’s “Crisis Intervention Team” has been set up to deal with mentally ill individuals, and how Portland was given a mention in the Amnesty report for creating the CIT. Her final assertion is that all officers “receive training in Sudden Death Syndrome,” which we assume means they are told to recognize a person’s immediate and perhaps inexplicable death, rather than that they are trained to cause it.

Meanwhile, police officers in Berkeley, California, are trying to get their city officials to allow them to take safety seals off of their pepper spray canisters. An article in the December 17 San Francisco Chronicle says the matter will end up in court if City Council does not reverse their 1997 order to use the seals. The police cite incidents such as a suspect biting an officer on the hand and other “emergency situations” in which officers were “unable to break the safety tab.”

The Chronicle states “opponents of the eye- and nostril-burning spray say it is an untested chemical weapon that can be lethal when directed at people using certain drugs or with heart and respiratory conditions.”

In a final note, the article reports another policy the Berkeley City Council adopted: “Officers must fill out reports every time they use pepper spray, and they are not allowed to use it to control crowds.” If this policy were passed in Portland, it could be a good interim step to an outright ban of pepper spray.
Supreme Court OK’s Police Chasing Those Who Run

On January 12, the U.S. Supreme Court ruled that running from police could constitute reasonable suspicion for cops to stop and frisk a person. While the ruling named “other factors” that must be present to justify such a stop, the National Association of Police Organizations considered it a “substantial victory” for law enforcement (New York Times, January 13).

Interestingly, the ruling was upheld 9-0, though the justices split 5-4 on how to apply it to the case which brought the issue before them. In that case, a black man in Chicago ran away when he saw police cars. Justice John Paul Stevens, among the four dissenters on the case, wrote “Among some citizens, particularly those resident in high crime areas, there is also the possibility that the fleeing person is entirely innocent but, with or without justification, believes that contact with the police can itself be dangerous.”

Anaheim, California police Sergeant Joe Vargas is quoted in the January 13 Orange County Register as saying “Would an average citizen run from the police? No, he wouldn’t. The type of person that would either want to be involved or is engaged in some criminal activity to begin with.”

While this guilty-till-presumed-innocent attitude is frightening—and now legally supported—community activist Amin David is quoted in the same article saying “People run because they’re afraid...This is very disappointing...I hope the police chiefs view this very cautiously.”

Multnomah Sheriffs Use Scam to Net Suspects

The Oregonian’s February 10 subhead says it all: “Agencies celebrate the bust of fugitives getting food stamps despite criticism of it as immoral and unethical.” On January 14, four hundred fifty people had letters mailed to them stating—untruthfully—that a Y2K computer glitch had dumped their food stamp eligibility information. Along with promising to reinstate their food stamps, there were “promises of cash bonuses and transportation reimbursement,” which drew 28 people to their immediate arrest for outstanding felony warrants.

Dubbed “Operation Talon,” the effort is backed by the federal government. It involved law enforcement using the state’s welfare recipient database and lying to the wanted individuals. “In this case there’s no question that we misled people,” Multnomah County Sheriff Dan Noelle is quoted as saying in the Oregonian. “You have to trick them.”

BRUTALITY, Shootings in Northeast USA Bring Mixed Verdicts

On Friday, February 25, a jury in Albany, New York acquitted all four white plainclothes New York Police officers involved in the 1999 shooting death of African immigrant Amadou Diallo (see PPR 17). While the acquittal is typical of the racism inherent in the American justice system, Michael Novick of People against Racist Terror in Los Angeles called the verdict “the declaration of a police state.”

Juries were allowed the flexibility of “consider[ing] lesser charges, including first-degree manslaughter, criminally negligent homicide, and reckless endangerment” (CNN, February 25). The jury consisted of four black women, one white woman and seven white men. Around the continent, protests popped up shortly after the verdict. In New York City, 1000 people marched on Sunday, February 27th; other cities doing demonstrations included Chicago and Toronto. In Portland, at least a hundred people gathered on March 3, chanting and playing drums in front of the downtown Justice Center.

Activists have been quick to point out that both the officers’ previous records and any testimony regarding Diallo’s character were not introduced into the courtroom. Many expect that civil rights charges and other litigation may still produce a modicum of justice, though nobody is holding their breath.

Meanwhile, three of the NYPD officers involved in the beating and sodomizing of Haitian-American Abner Louima were convicted of obstructing justice to cover up the crime. Though only one officer was convicted—of violating Louima’s civil rights—and another pleaded guilty to the beating itself, the verdict is a welcome change from the usual trend of police immunity.
POLICE WELCOME NEW CHIEF (continued from back page) eventually well-intended officers will come to see it as their 'duty' to step outside the bounds of their lawful authority and begin to trespass upon the rights of citizens whose rights they have sworn to protect.

On the issue of improving neighborhoods, he notes the Police Bureau’s only duty in that regard is to “remove criminals from those neighborhoods and to provide traffic safety...and similar activities directly related to the peace and safety of the citizenry.”

Finally, regarding improving the relationship between the police and the community, Mosier believes that should be the Chief’s #1 priority, rather than #3. He closes by repeating that police need not seek power that is inappropriate, but rather do their duty well and “earn the respect of the community they serve.”

Retired officer Duke Smith weighed in in the December issue, similarly criticizing the idea of a police mission statement as “a politician’s theme song.” Smith adds that “Police departments were formed for one purpose only—to protect the public from lawbreakers.”

We wonder how much the rank-and-file have differing ideas from the upper management of the PPB. We will be watching to see how the Chief’s tenure unfolds (also see article on p. 1).

Why Wait? Rap Sheet Editor Says Police Should Always Shoot First

Retired cop and editor Loren Christensen, back in fine form, wrote in the January Rap Sheet about the “action/reaction principle.” Basically, it’s a reminder to police that if someone takes an action, the officer’s reaction will always be slower.

So Christensen rattles off a list of helpful hints, such as staying at an arm’s length from a suspect. He relates the story of David Grossi from Police Marksmen magazine, who has gone to court “several times” to demonstrate the “action/reaction” principle. One example situation is when Grossi fires a “dummy gun” cotton ball at an officer who is expecting him to shoot, but in many cases Grossi “is able to turn 180 degrees and shoot the officer before the officer can get off a shot.”

Grossi’s partner, Bill Lewinsky, a hostage negotiator, says “it may be impossible for the officer not to shoot even if the subject pointing the gun at him turns away as if to flee.” Christensen explains that an officer’s attention is not focused on the parts of the armed suspect’s body that would indicate they are preparing to flee, but on the gun. “Here is where the situation gets unpleasant for the armed suspect and for the officer when the Monday morning quarterbacks start jumping up and down scrunching that the cops didn’t play fair...Once the officer’s brain decides to shoot, it’s virtually impossible to interrupt the completion of that action.”

The article goes on to describe how quickly suspects turn around (.24 seconds) versus how long it takes an officer to decide whether there is a threat and to shoot (.33 to 2.0 seconds). “In each test, the suspect would have been shot in the back because of his action of turning away was faster that the officer’s reaction” (we ran similar info from Wound Ballistics Review, April 1997, in PPR 15).

Christensen’s conclusion: “Tell people not to point guns at police officers, or anyone else, for that matter. And of course, there are always those brain-dead critics who say the police should wait for the suspect to fire first. Yeah, OK. We’ll do that when yaks grow wings and fly.”

Since the Portland Police draw their guns on unarmed suspects on a regular basis, we recommend that we all live by the rules of not pointing guns at people, winged yaks or no.

Shooter Cop Gives Sound Advice for Police Under Internal Affairs Scrutiny

Lonn Sweeney (one of the cops involved in the 1992 shooting of 12-year-old Nathan Thomas and the man who held him hostage) weighed in on “the IA Beef” in January’s Rap Sheet. Sweeney reports on the experience of dealing with Internal Affairs when accused of misconduct. He warns other officers not to have a “lax attitude”: “remember, even if the event may not seem like a big deal, someone has made an allegation that you did something wrong.”

He reminds the Rap Sheet readers (the police) that IA is not out to “get them,” but that their mission is to do fact finding so others can make a determination. Sweeney suggests not using profanity, though not necessarily because it is unprofessional. He says the use of foul language “has the potential to be in the headlines at some point,” noting “it may play well between officers to explain a point, but an IA interview is not the place for it.”

His second tip is to prepare for the interview by rereading reports of the incident ahead of time.

Third: “Check the attitude at the door.” While “the investigator assigned to IA would love to have the authority to decline frivolous and nuisance complaints, that is not within their power.”

Among the final thoughts he gives are ground breaking ideas: answer the question that was asked, don’t speculate on an answer you don’t know the answer to, and tell the truth. One wonders why police need to be reminded of these concepts.

College Degrees for Cops May Slow Beatings

Lt. Jeff Barker wrote a letter (appearing in the January Rap Sheet) in response to Rob Blanck’s November column trashing the idea of college degrees for cops. Barker admits it limits the pool of applicants, but blames competition with the private sector for the real difficulties in hiring. “Being a cop ain’t a job, it’s a calling.”

The thought behind a 1970’s contract provision for some college education, Barker says, is that “potential officers would know how to write better...would be exposed to basic sociology and psychology...some possible interaction with people who were different from themselves.

“A national study showing that officers with college degrees are less likely to be involved in use of excessive force may mean something.”

Barker ends by scolding Blanck for “denigrating the new people hired today because they have a college degree. With all the other problems plaguing the Portland Police Bureau we certainly do not need to declare class warfare on each other.”
POLICE ASSOCIATION WEBSITE CELEBRATES HISTORY OF ABUSES
by Ruby L. Sears

Everyone has to have a webpage these days. Even the Portland Police Association [PPA] has cobbled together a sparse collection of .html files and established its presence on the Information Superhighway.

The PPA's website doesn't provide much information for an average citizen to ponder. The PPA shares a few words about its founding and history, a note or two about collective bargaining, and other miscellaneous tidbits. But the page describing the PPA's legal representation <http://www.ppa1942.org/legalrep.html> is really interesting.

This page reveals that the PPA's lawyer is named Will Aitchison. His credentials and tenure are detailed. Mr. Aitchison represents the PPA during collective bargaining and in disciplinary cases. I don't want to summarize this part because I think you'll get a better feeling for the relationship between Mr. Aitchison and the PPA if I quote:

“In 1981, Aitchison acted as the PPA’s lawyer in a successful challenge to the discharges of two police officers who had killed opossums and left their carcasses on the doorstep of a restaurant owned by a crime family. Several years later, Aitchison represented the [sic] PPA in overturning the discharges of two officers who circulated T-shirts reading ‘Don’t choke ‘em, smoke ‘em’ after the City banned the use of the carotid hold. In 1995, Aitchison represented the PPA in a 13-day hearing challenging the firing of an officer who had shot 23 times at a fleeing suspect, a case which resulted in the officer’s reinstatement with full back pay.”

1981 was a long time ago and I was only a small child, but I seem to remember that the restaurant in question was owned by a black family, and that the police were found to have a hobby of running over opossums with their patrol cars and leaving them in front of black-owned businesses and homes.

And it seems worth noting that the City banned the carotid hold shortly after a Portland Police officer choked security guard Lloyd “Tony” Stevenson to death while mistakenly detaining him.

The reinstatement of Officer Douglas Erickson in 1995 came despite the fact that Erickson shot Gerald Gratton in the back (see PPR 6), and the grand jury issued a rare statement of caution that the number of shots fired seemed excessive.

It seems fairly clear that the purpose of this section of the PPA's webpage is to celebrate Will Aitchison. The PPA wants to show its members, and the world, what a great guy he is. Mr. Aitchison will do his darndest to get cops off when they get caught harassing citizens, abusing and murdering people in their custody, or using excessive force. I'm sure they’re very happy to have him. It’s too bad the people being harassed, abused, and murdered don’t have the same luck.

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“The People’s Police Report,” is published three times a year by Portland Copwatch/POPSG, a citizen group promoting police accountability through citizen action, and its affiliated, Reed Copwatch. (Portland is a project of Peace and Justice Works, a tax-exempt educational organization.)

For our “Proposal for an Effective Civilian Review Board” send $3.00 to Portland Copwatch, PO Box 42456, Portland, OR 97242, or find it on line at www.teleport.com/~copwatch. Subscribe to the PPR for $10 a year or find it on line at our website: http://www.ppa1942.org/legalrep.html. Please note that we have slightly modified this page so as not to confuse our readers about whether our newsletter has been approved by the Portland Police Association. It has not.

If you are Copwatching, be sure to get the Police Incident Report Line at (503) 321-5120.

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 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.
POLICE, WELCOME NEW CHIEF, NOT HIS VISION

In the February Rap Sheet, incoming Portland Police Chief Mark Kroeker repeated his vision for the Bureau. His ad-campaign-style slogan states the Bureau’s goals are: “1. To reduce crime and the fear of crime; 2. To improve the quality of life in neighborhoods; and 3. To improve the community and police relationship.”

To his credit, Kroeker added comments that the Bureau should be “deeply ingrained with respect for fellow human beings inside and outside the organization” and should be “an organization where corruption of all kinds is eliminated, and where a sense of organizational family exists, but not at the expense of public inclusion.”

In a fascinating and lengthy rebuttal to the Chief’s vision included in the same issue, Officer Stephen Mosier of the Telephone Report Unit explained that much of the Chief’s proposal falls outside the authority of police officers. He notes that to reduce crime and the fear of crime, the police would have to be empowered to address the “varied legal, economic, social, cultural, moral and religious factors which are often cited” as causes of crime. But, he adds, since the police are not part of the legislative branch of government which decides which laws to institute, and are not part of the judicial branch which determines how to deal with criminals, they cannot alone meet this goal. He also cites economic factors that contribute to crime, including interest rates and inflation, noting “the perception that every family must have two bread winners...is not something the bureau can change.”

Mosier clearly addresses the limitations of police influence on crime: “We should not look at a dip in the crime rate and claim credit for causing it through our efforts any more than we should view a rise in crime as being caused by us through our lack of effort.”

He notes that police are only given the power to investigate criminal suspects, arrest them, and deliver them to the justice system. “If we lose sight of that and erroneously begin to see ‘the reduction of crime’ as our duty and are then, unable by our best efforts to cause crime rates to fall, we will increase the likelihood that...” (continued on p. 10)