On October 25, news broke that former Portland Police Chief Larry O’Dea had been indicted by a grand jury on negligent wounding charges for when he “accidentally” shot his friend in the back while squirrel hunting in Harney County (PPR #69). Meanwhile, for the first time in over a year, the Portland Police shot and killed a man, Steven Wayne Liffel, 52, on December 6. Details on last year’s incident—Michael Johnson’s death in November 2015—were revealed in a Police Review Board (PRB) report in October. In another case, PPB officers did not discharge a firearm, but did participate in a chase following a man who stole $70 from a motel and allegedly fired at officers. The chase ended with Tigard officers shooting and wounding Joshua Luther, 37. News also came out that one of the officers who killed Keaton Otis in 2010 (PPR #61) was hired as an Assistant District Attorney. And, in mid-September, people marked the 10 year anniversary of the death of James Chasse, Jr. (PPR #40).

2016 Shootings in the News
Despite the fact O’Dea appeared to also have been involved in covering up the crime by dissuading his Assistant Chiefs and the Mayor/Police Commissioner from opening an internal investigation into the shooting, the indictment stopped at the wounding charge. According to the Portland Mercury blog (September 25), the maximum sentence O’Dea faces for the misdemeanor charge presented by the Oregon Department of Justice is six months in jail.

Portland City Council approved a contract with the Portland Police Association (PPA) on October 12. Even though the previous contract didn’t expire until June 2017, outgoing Mayor Charlie Hales stated there was a rush to pass a new contract with increased salaries. Hales maintains that neighborhoods are in need of expanded police protection and that current wages hurt efforts to attract new and retain existing officers. Under the new contract, officers will make about 9% more by the end of three years. In exchange, the PPA made just one key concession: they gave up the right to wait 48 hours before being interviewed on police misconduct cases. In an Agreement attached to the contract, the PPA also agreed to eliminate 12 grievances, which did not require making changes to the contract. Sweetening the pot, the City agreed that review of body camera footage is mandatory for bargaining. At a meeting attended by 91% of PPA members, 95% voted to accept the contract. After an initial hearing, Council shut out community members wanting to testify on three further occasions. To celebrate their win, PPB officers used violence to eject people from City Hall after the vote, which some have referred to as their “victory lap” celebrating a new contract with plenty more money and no more accountability.

City Appeals Judge’s Order to Return to Court with Plans to Fix Oversight Board
Judge Michael Simon held an extraordinary October 25 status conference on the progress made implementing the Settlement Agreement between the US Department of Justice (DOJ) and the City of Portland. The Agreement requires changes to the Portland Police based on a pattern and practice of excessive force. Though Simon allowed the City to use up twice as much time as any other party, he also called upon community members to testify. Simon was clearly trying to show the City how to hold a public hearing on a controversial topic without resorting to strong-arm tactics to shut people out (as had happened two weeks before at City Hall around the police “union” contract—above). The main finding of the DOJ—that the City was out of compliance for failing to keep the Community Oversight Advisory Board (COAB) functioning—led Simon to require the City to return to his courtroom by the end of January with a plan to fix COAB. The City filed an appeal to the Judge’s order on December 9, asking that he be removed from the case for bias.

Meanwhile, after returning from a two month “recess” COAB added 48 new recommendations about the oversight system to the 50 or so ideas they already sent to the Bureau/DOJ, but has still not received any meaningful feedback on their suggestions.
Bad Policy

This contract does nothing to ensure or improve police accountability. In fact, it gives more control over police accountability to the PPA. While getting rid of the 48 hour rule is a step in the right direction, PPA members did not think giving it up would affect them (Portland Tribune, October 4). On the PPA’s Facebook page, President Daryl Turner used his Thanksgiving message to say the agreement addresses “many” community concerns, only pointing to the deletion of the 48 hour rule, “which builds upon community trust while protecting officers’ rights through Supreme Court rulings.” In cases that involve less than deadly force (Tasers, “bean-bag” guns, broken arms, etc.), the Agreement reinforces officers will have a “reasonable amount of time” to review their police reports and video footage before being interviewed.

There are other problems with the contract. The City should have fixed the binding arbitration clause so officers who are fired stay fired. Portland Copwatch (PCW) made a suggestion to move deadly force incidents to the civil service board system so a judge, not a potentially biased arbitrator, might be able to decide if firing an officer was valid. There are also a number of issues in the contract which act to impede the police oversight system. Independent Police Review Division (IPR) Director Constantin Severe outlined some of those aspects in a presentation to Council on September 14 (p. 5).

But perhaps most egregious is the attachment to police worn cameras. While body cameras are not part of the actual contract, they are in the agreement, which is now public policy. The Agreement references a draft policy that was circulated along with the contract, and notes “the PPA and City specifically agreed that the subject of review of audio/video as set forth in [the draft policy] is mandatory for bargaining.” The draft policy allows officers to review footage before writing police reports. The City Attorney released a memo on October 11, the day before the vote, saying they believe the subject of body cameras is “permissive” for bargaining. In other words, the policy the City signed is contrary to their attorneys’ belief and now binds the City to negotiate over cameras even if courts rule it is not mandatory to do so. The only amendment Council made to the entire package was to require the Bureau to set up a stakeholder group to review the body camera policy before it is finalized. Ultimately, though, the Agreement means the PPA will have final say over City policy.

Bad Process

While the contract is deeply flawed, the process by which it was developed and adopted was at least as bad. The City began negotiating without telling anyone they were doing so, nor making the bargaining sessions public (which they were at least partially in 2010 and 2013). Council did not invite the Auditor or IPR to give input into the contract, even though they are responsible for police accountability. The Auditor and IPR Director wrote a sharply worded memo asking the contract be modified to allow them to compel officer testimony, and noting the policy of allowing officers to view body camera footage before making statements or writing reports is bad practice.

After the Auditor’s memo came out, the Mayor’s office wrote emails to numerous entities which receive funding from the City, including Neighborhood Associations, asking for support of the contract the day before the October 5 hearing. When one Association declined to weigh in, partly because their bylaws require a vote which could not happen in time, the Mayor’s staff berated them. In addition, several of the emails said disparaging things about people opposed to the contract, such as: “Thanks to a lot of genuine pain and trauma created by police shootings elsewhere in our country, people in Portland have recently spoken loudly about the need for reform. That is good and helpful. What is NOT good nor helpful is that some of these advocates have seized on this new police union contract as ‘the problem here’ and are urging the City Council not to approve it.”

The Mayor also called private meetings with representatives from several organizations who had testified about the contract. He told some of them to reverse their positions. He confronted some with photos of a young woman who was tragically killed by a car on SE Hawthorne. When asked why he didn’t negotiate for the accountability measures the community has been asking for, the Mayor’s reply was “mea culpa.”

Council allowed public testimony on adoption of the contract on September 28. On October 5, they suspended their meeting after some disturbance in council chambers. Calling a special meeting on October 6, Mayor Hales separated the public from the Council. People who signed up to testify on other matters had to be escorted from the Portland Building into City Hall by an accredited City employee, then were only let into Council Chambers one at a time. Several people, beginning with PCW’s Dan Handelman, used the other items to roundaboutly comment on the contract and the process (#BridgeCrane). On October 12, people who had signed up to testify on multiple agenda items received red tickets to enter Chambers. After mild disruption, the Mayor recessed the meeting to the Rose Room on the third floor, and the stairways were blocked by two dozen armed police. Only one person with a ticket was ever allowed up to speak. As the public became more agitated after the vote, the police did not use de-escalation tactics to calm the crowd, but instead pepper-sprayed people (including an infant) and pushed people out the door onto concrete as if they were volleyballs.

At a special meeting on October 24, the Mayor attempted to calm the growing concern by City Employees who’d been locked down at City Hall and witnessed the brutalization of community members. Rather than address the violence, though, the Mayor and Chief praised the contents of the contract. It is almost as if politicians and top government officials live in a different reality.

See the fact sheet PCW handed out to people attending the Mayor’s special meeting at <http://www.portlandcopwatch.org/PPA_facts.pdf>.
While the City is tied up fixing the mess they’ve made of improving our oversight system (p. 5), the Citizen Review Committee (CRC) has continued hearing appeals of misconduct cases. They sent two cases back asking for a “Sustained” findings—in one, the Chief agreed, the other may go to City Council. They reversed their recommendation to sustain in a third case. A force-related recommendation four years in the making was approved, one CRC member resigned, and three new members were sworn in. Meanwhile, the staff of the “Independent” Police Review Division continues to be stingy with information, going so far as to shut the community out of previously public trainings for CRC. Prior to hearing a new case on November 2, CRC had only heard eight cases in 20 meetings over of 17 months.

**Case 2016-x-0001: Officers Found Out of Policy For Telling Woman She’s “Not a Very Good Lawyer”**

Public defender Sara Foroshani was told by two officers she “must not be a very good lawyer” and says one of the officers pushed her (PPRs #68&69). CRC recommended Sustained findings for the officers’ rudeness, and changing the force allegation from “Exonerated (in policy)” to “Not Sustained (insufficient evidence) with a debriefing.” On October 26, Chief Mike Marshman, attending his first CRC hearing as Chief, came initially to argue with all three findings. Apparently, nobody explained to the Chief how CRC works, including that if they disagreed with him, the case would head to City Council.

Shortly into the “Conference Hearing,” the Chief announced he agreed to change the force finding. He then affirmed Officer “A” should be found out of policy for rudeness—not for the comment about Foroshani’s skills as a lawyer, but because he additionally waved goodbye in a sarcastic manner when leaving.

When CRC began asking in what context could officers questioning her skills as a lawyer not be deemed insective, Chief Marshman turned down the question. One apparent reason for the comment was that the Bureau had used the wrong version of the Taser policy to make their original “Not Sustained with a debriefing” finding on the use of force.

CRC focused on the new Directive explicitly prohibiting the use of a Taser once a person is in custody and under control. The six Taser cycles have been described in different ways, but we think what happened is: #1, 2 and 3 were “drive stuns” lasting 1, 3, and 1 second, #4 was a drive stun to the leg, #5 saw the Taser’s fish-hook probes launched into Klug’s back for a five second jolt, and #6 was a one-second zap which the officer didn’t report. The Bureau claims the new X2 taser has a button that’s badly designed and tenor’of how it was said. Portland Copwatch suggested CRC hire an actor to do various line readings of “you must not be a very good attorney” to find one that was not impolite. Chair Kristin Malone pointed out the Chief would take offense if she said “you must not be a very good police officer.” Marshman’s second argument was he did not want to penalize the officers for attempting to have a conversation. This is a ridiculous argument, implying you can’t train officers to speak to the public respectfully and professionally. Beyond that, if he didn’t want to “punish” them for their rude behavior, he could use a “letter of reprimand” rather than a more harsh form of discipline.

CRC voted 6-0 to affirm their original recommendation to sustain the finding of rudeness on Officer “B.” The next day, the Chief, probably realizing he was not up to facing the first CRC report yet, 2003 (PPR #30), backed down (Mercury Blog, October 27).

**Case 2015-x-0002: Man with Mental Health Issues Tasered Six Times, CRC Proposes Sustained Finding**

The case of bicyclist Matt Klug, who was zapped by Officer Bradley Nutting (#45920) six times following Klug’s confrontation with a motorist, came back to CRC for the fourth time on September 7. CRC originally sent the case back because not all witnesses were interviewed (PPR #67), then got stood up by the Bureau (PPR #68), recommending findings in May (PPR #69). Klug pointed out the Bureau had used the wrong version of the Taser policy to make their original “Not Sustained with a debriefing” finding on the use of force.

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On December 7, the Chief came to a Conference Hearing trying to convince CRC to reverse its decision, arguing the officer would not be able to be part of the Enhanced Crisis Intervention Team if found guilty of excessive force. CRC voted 4-0 to send the case to Council.* * New members Marisea Rivera and Neil Simon abstained as they had not been at the earlier hearings. ** New member Andrea Chiller abstained.

**Case 2016-x-0005: Motorcyclist Told His Riding is “Stupid,” Says Traffic Cop Kicked Him While Riding**

In the first new case the CRC has taken on since March, the complainant was a motorcyclist who said a traffic cop kicked him in the leg to force him off the road, then called him “stupid.” At the November 2 hearing, Appeals Process Advisor (and former CRC member) TJ Browning did most of the talking for the Appellant. However, the Appellant directly explained to CRC the only reason he didn’t wipe out on his bike was that he has 10 years of experience as a rider.

That didn’t stop Capt. Kelli Sheffer of the Traffic Division from arguing (a) officers are not trained to kick other riders, (b) her officers would not do that and (c) if it had happened, both of the Appellant who repeatedly cited these reasons and called the allegation “Unfounded (facts don’t support the allegation),” she said she was willing to change the finding to “Not Sustained.” Despite her admission it may have happened as the Appellant claimed, CRC voted 7-2 to affirm her finding that, in essence, he was lying. Michael Luna and Kiosha Ford both felt “Not Sustained” was a better finding. Sheffer also said if the officer had used force he would have had to call a Sergeant to the scene—not a compelling argument, since that underscores the officer’s motivation to not report the kick.

As to the rudeness complaint, the officer said he had attended to a nasty crash earlier in the day, and was trying to alert the Appellant his (alleged) high-speed driving was “stupid.” After a long discussion about how the officer should have known a community member would think he was calling them “stupid,” not their behavior, CRC voted 9-0 to add a debriefing to the “Not Sustained” finding.

**Case #2015-x-0004: CRC Agrees Mass Detentions at Protest Didn’t Violate Law**

On the same night Ms. Foroshani’s case came back, Chief Marshman also came to argue against the CRC’s finding that a commander was out of policy for ordering everyone at a post-Ferguson decision demonstration be detained by boxing them in (aka “kettling”—PPRs #68&69). In previous hearings, Appellant Theresa Holloway complained it was not appropriate for her to have been told she was under arrest along with about 100 other people, many of whom were on the sidewalk and/or were media covering (continued on p. 4)
the event. CRC originally found the commander out of policy for ordering the arrests, then Chief O’Dea had the case sent back for more investigation to look at the detentions. The Bureau found the Commanders on scene were “Exonerated” on all charges.

Marshman repeated this was the first time the Portland Police had used the boxing in technique. It was confirmed by former CRC member David Denecke that the CRC’s Crowd Control Work Group didn’t discuss “kettling” because they were told police never use the tactic.

Marshman said surrounding people with cops in riot gear is a “successful way to end a protest peacefully.” Yet having people standing, marching, or lying in the street for 45 minutes would have caused the same traffic tie-ups the police caused by boxing the people in and taking that long to make 10 arrests.

After some off-topic discussions about whether the protestors should have asked for a permit, CRC conceded the decision to use kettling was within Bureau policy and training, but maybe wasn’t the best choice. Although members Roberto Rivera and Ms. Ford preferred a “Sustained” finding, CRC voted 4-2 to revert the finding back to “Exonerated.” It’s not clear why CRC did not ask to add a “debriefing” to the finding.

Important note: At least three people present at the protest spoke during public input, expressing how the Bureau’s actions violated their rights, with others echoing their concerns. At the Foroshani hearing the same night, many community members spoke out against the officers’ rudeness. CRC was able to decide for themselves whether the findings were “supported by the evidence”— showing they are not unduly swayed by public comment. (More, p. 5.)

Case #2106-x-0002: Man Pulled Over Questionably Says Officers Cursed, Used Force; No Changes to Findings

On October 5, CRC returned to a case about Warren, a young African American man who was pulled over for “failing to signal a turn within 100 feet of an intersection.” He said police cursed at him and used excessive force pushing him on the police car and pulling his arms to handcuff him. Because the officer’s commander was not present in February, CRC postponed the appeal (PPR #68). Warren did not come to either meeting.

Allegation #1 was that one officer was rude. When Warren complained he was hurting his arm, the officer allegedly said “I don’t give a fuck.” Because it was he said, the finding was “Not Sustained.” Former CRC member Rochelle Silver noted the officer’s attitude of not caring if the complainant was in pain should have been the focus of the investigation, not just the profanity. Ultimately, CRC voted 8-0 to affirm the finding but to add a debriefing.

There was not a lot of discussion about allegation #2, whether the officers pushing Warren against the car was unnecessary force, before CRC voted 8-0 to agree that action was in policy (“Exonerated”). There was a healthy discussion about whether the traffic stop was a case of racial profiling. The officers said they saw the car stop at a flashing red light for “an extended period of time.” Although that action is not criminal, they ran the plate and realized the car had recently been involved in a DUI/Suspended License stop— just not with Warren driving. Commander George Burke tried to stop CRC’s discussion since Disparate Treatment wasn’t investigated, but CRC noted it’s their job to see whether the investigation was thorough.

Warren wrote a letter to IPR explaining why he didn’t come to the hearing. CRC debated whether to read the letter aloud. The City Attorney advised against it. After the hearing, Chair Malone paraphrased the letter, saying the Appellant felt nobody in the process cared about him, adding that if he were a white woman he wouldn’t have been subjected to the use of force and emotional pain.

CRC Asks for De-Escalation Not Deadly Force

The CRC’s Deadly Force Work Group began meeting in 2012. On October 26, CRC finally adopted their draft report including a single recommendation: That the Bureau integrate de-escalation into its policies and training on deadly force. PCW applauded the efforts to define de-escalation, noting the Bureau’s SERT team told CRC they believe showing up in armored uniforms is a form of de-escalation. The Compliance Officer/Community Liaison also reports the PPB thinks threatening force is de-escalation.

The report, which was a bit of a mess layout-wise, doesn’t mention the Work Group’s earlier proposal to let CRC hear appeals on deadly force cases, nor does it address PCW’s concern that the PPB Directive on Satisfactory Performance allows an officer to be disciplined for failing to use force. Given that in September, a West Virginia officer was fired for applying his military training to decide not to shoot a civilian, CRC should demand there be no discipline for de-escalating.

The Work Group plans to meet with Marshman, in what should be a public meeting. CRC’s proposals should also be presented to City Council.

Staff Closes Trainings to Public, Shares Less Information

Despite bragging about their commitment to transparency, the IPR has been closing off the public to information over time. Their most recent quarterly report— required by City Ordinance— covered October-December 2015. Annual reports no longer include meaningful data tables (PPR #69). And, in August when they trained new members of CRC and the Police Review Board, they did not send public notice of the sessions, a change from past policy. When asked why this happened, one IPR staffer said it was because PCW member Dan Handelman kept interrupting the trainings. IPR relied on Handelman for historical information at previous trainings, calling him into the conversation by name numerous times. If there was a problem with how information was being shared, IPR could set ground rules and ask for limited public comment, rather than shutting out the entire community for what they’re blaming on PCW.

Though CRC has been told repeatedly the caseload of filed appeals would keep the group busy “until June,” staffer David Nguyen admitted (at the November 14 Stakeholder meeting) only six appeals were pending.

New Faces at CRC

To fill seats vacated by members who resigned (Angelo Turner and Bridget Donegan), Council appointed new members on August 31. They are Marisea Rivera, who did advocacy for disabled people in Arizona, and Neil Simon, who covered accountability issues as a journalist. Roberto Rivera was also appointed to a second three-year term. At the November 2 meeting, former Chair Mae Wilson Pfiel announced her resignation, leading to Council swearing in a third new member, Andrea Chiller, on November 23. Chiller is a former attorney who worked both as a public defender and assistant DA.
The day after we published our last newsletter, the City posted a revised version of its proposed changes to the “Independent” Police Review Division (IPR), its Citizen Review Committee (CRC), and the Police Review Board (PRB). Rather than having CRC hear appeals with the PRB behind closed doors (PPR #69), the new proposal retains public hearings—but explicitly states no public input will be taken at those hearings. After City Council heard opposition from a large number of community members and organizations on September 14, they set up a Stakeholder Group to look at the two most controversial parts of the proposed ordinance: the end of public testimony, and allowing the 11-member CRC to hear appeals in panels of just three people. Portland Copwatch noted that with the current make-up of CRC, panels might include nothing but white women; also, should one member be absent, no hearing could take place. The Stakeholder Group met on November 14 and 28, proposing CRC be expanded to 15 members and the quorum for hearings remain at 5. As for public input at hearings, the jury is still out.

Leading up to the Council hearing, a second community forum was held, this time at Maranatha Church. Two City Attorneys and the IPR Director heard from many voices, including CRC members, a member of the Police Review Board, and community groups. Each expressed concerns about the plans and the speed of the effort to change the system.

A broad variety of groups testified to Council, leading Mayor Hales to say he was paying attention when hearing members of CRC agreeing with the Albina Ministerial Alliance Coalition, the League of Women Voters, and Portland Copwatch. Others testifying included the ACLU of Oregon, Sisters Of The Road, and the National Lawyers Guild. Unfortunately, current CRC member Jim Young, who sat on the behind-closed-doors “Focus Group”— which led to most of the City’s ill-advised proposed changes— testified he opposed public input at appeal hearings. It’s true Mr. Young was doused with water at a hearing (PPR #68), but that happened after the vote had concluded, so wouldn’t be prevented by eliminating public comment.

If the goal of the City is to meet the standards of the US Department of Justice, which require CRC to hold hearings within the impossible deadline of 21 days from the time an appeal is filed, the 15-20 minutes taken up by community comments will have no significant impact on that timeline. The Portland Tribune reported that even Portland Police Association (PPA) President Daryl Turner said “he and his members don’t support the elimination of public comment at public appeals hearings” (September 8).

Amazingly, IPR Director Constantin Severe testified to Council that several long-sought changes to the system— giving IPR power to compel officer testimony, to review officer-involved shootings and to send those cases to CRC— can’t be changed without fixing the PPA contract. Unfortunately, the City had already finished negotiating that contract two days earlier, with no changes to the accountability system (p. 1).

Despite Council’s concerns, Auditor Mary Hull Caballero told the Tribune “I put [forward] the proposal that I thought was best, after a year and a half of conversation... I will not be amending the proposal” (September 20).

PCW has pointed out a number of flaws in the logic of cutting out public comment, including that the current ordinance limits CRC to making its decisions based on information in the investigative file. The fact that police officers are afforded paid advocates as part of their collective bargaining while community members may or may not have volunteer “advisors” makes the system unfair. On the bright side, the proposed ordinance would allow, for the first time, complainants (or survivors of those who die in custody) to testify at PRB hearings; however, there is no provision for them to be assigned paid advocates at that level either. This would leave them in a room of mostly police officers, an IPR staff person, and at most one PRB member and one CRC member “representing” the community.

The Stakeholder Group included members of most of the organizations listed above—including PCW, the PPA and the CRC. Their final report reflected the divide among members regarding when the public should be heard at hearings— before or after the CRC vote. The report also listed a number of issues raised but not discussed due to the narrow scope of the Group, including getting rid of “Conference Hearings” where the chief comes back to argue with CRC findings, and changing their standard of review from “reasonable person” to “preponderance of the evidence.” At PPR deadline, IPR has placed changes to the code on the Council Agenda for February 8.

* The proposed ordinance also would prohibit public input at CRC’s Case File Reviews, where they determine whether there is enough information to proceed with an appeal.

PPB Sweeps Homeless People From Springwater Corridor

In the revived war against Portland’s homeless population, Mayor Charlie Hales had swarms of Portland Police officers sweep through the Springwater Corridor in early September, as he’d threatened this summer (PPR #69), pushing out even those who were self-organizing to meet community concerns. Even PBP spokesperson Sgt. Pete Simpson acknowledged there was nowhere for people to go once the sweep was underway. Around the same time, Portland Copwatch walked a “beat” in inner Northeast/Southeast Portland, talking to many people camping on sidewalks and other open public spaces. Many had no real problems with the police (save for one or two officers they called out by name), but were concerned about neighbors who’d been kicking at their tents to wake them up and try to get them to move. It appears the PPB, using its claim of having too few officers (see every Rapping Back column for the last few years), asked residents to do their own legwork, which some took to the next level and began acting more or less as vigilantes. Many of the areas we visited had been posted with 24-hour notices of imminent sweeps, and, sure enough, within days most people were also pushed out of that area. We did directly witness one officer being kind to someone living in their truck, saying they could stay (despite technically being in violation of City Code) until the sweep. We returned to the same area in December and police had posted more notices, including one that was stapled to a tree.

Meanwhile, some NIMBYs on the inner east side won a court victory barring homeless rest area Right 2 Dream Too from moving to land the City had been preparing. R2DToo’s initial agreement to be away from W 4th and Bumside has been postponed until a new option can be found. On December 2, the landowner announced he planned to evict R2DToo sometime soon to meet “contractual obligations” (Mercury Blog, December 2). The proposed mass shelter at an unused industrial site approved by Council in August (also PPR #69) fell through in October. Winter is upon us and we hope the new Mayor will recognize there are not enough shelter spaces, affordable homes, or places for couples and people with pets to go, and direct officers to treat everyone humanely.
O’Dea denies investigators’ claim he was drunk when he moved his rifle on April 21 while he and his friend Robert Dempsey were sitting in lawn chairs. He is suing Harney County for damaging his reputation. On December 2, O’Dea filed a motion saying the state charge was unconstitutional (Oregonian, December 3). Administrative investigations into the shooting and the cover-up continue. For his part, Mayor Hales said he didn’t take action because “I trusted that the appropriate internal and criminal investigations were taking place.”

O’Dea’s shooting — and the failure to report it through proper channels — led to proposed changes to city code and criticism from both the US Department of Justice and the Compliance Officer/Community Liaison overseeing the feds’ Settlement Agreement with the City (p. 1).

In December, Lifelf was allegedly firing off a gun near E Burnside and 148th when Portland officers were called to the scene. Officer Lawrence Keller (#16483) shot and killed Lifelf after “some kind of an encounter” (Oregonlive, December 7). Keller was also involved in the October 20, 2015 shooting of 19-year-old Justin Gallegos (PPR #22) and fired a Taser at the wounded body of Dennis Lamar Young, 28, after Lt. Jeffrey Kaer shot him (PPR #38).

In the robbery incident on October 25, the PPB attempted to conduct a traffic stop after Luther’s wife Michelle drove the car away and stopped at a Tigard gas station. She fled again, leading the two agencies on a chase that ended in Tualatin. When Luther ran from the scene, Tigard Officer Andrew Pastore shot and wounded him (Oregonlive, October 30). Though Luther is said to have fired his gun at police during the chase, it’s a relief that officers did not return fire, since Luther’s three children were also in the vehicle. Portland Copwatch has long asked the question how multiple agencies collectively decide whether to engage in the use of deadly force. Since no PPB officer used a gun, it’s unlikely this scenario will be examined by the OIR Group, which reviews officer-involved shootings in quasi-annual reports. Their last report came out in January 2016 (PPR #867). OIR was awarded a new contract on November 9 to review at least 11 shootings since March 2014. O’Dea’s shooting was not on the list.

Not surprisingly, the Police Review Board, which for deadly force cases includes four officers, an IPR manager, one civilian PRB member, and one Citizen Review Committee member, found no wrongdoing in Johnson’s 2015 death. Although the DOJ requires the PPB to de-escalate and use less force against people in mental health crisis, only one mention of Johnson’s mental health was made in the PRB’s report. While the PPB had reported one member of the Special Emergency Reaction Team (SERT) fired a “less lethal baton” (aka rubber bullet) after Johnson was shot, three cops (an officer, a Sergeant and a Captain) were examined for their use of a “40 MM multilauncher” and found in policy. The PRB did vote to have the Bureau debrief the Sergeant and Captain who delayed calling SERT by eight minutes. They further suggested all Acting Sergeants receive critical incident training. In an interesting twist on how criminal records can haunt people, the PRB also suggested that officers under scrutiny for a deadly force incident not be listed in the regional database (RegJIN) as homicide suspects. PCW suggests they should go through the same rigamarole as other citizens to clear their names if the grand jury fails to indict them.

**Updates on Shootings/Deaths of Bellew, Sudlow, Otis and Chasse**

The PRB also reviewed the June 2015 shooting death of Allen Bellew (PPR #66), again finding cops did nothing wrong. The Board unanimously recommended more training around the “Graham Standard” so officers know their “rights to use force when it becomes necessary to ensure their safety.” The Bureau declined, saying they had fully covered the issue.

Their report finally came back, too, in the case where Officer Charles Asheim shot at, but missed, Ryan Sudlow at a Gresham gas station in February 2015 (PPR #65). That case had been sent back to Internal Affairs for more investigation. The end result was five members found the officer in policy but felt he should be debriefed regarding inadequately boxing in the suspect; the two dissenters did not think a debrief was necessary. They also unanimously recommended debriefings for “employees &”3” who made rushed decisions because the incident happened during a shift change, and made the decision to box in the Suspect at a “busy gas station at rush hour [while] civilians were present.”

A few people tipped off Portland Copwatch that Cody Berne, one of the cops who shot and killed Keaton Otis, had left his position at a Portland law firm to join the DA’s office. PCW put out an open letter to the Chief titled “Foxes with blood on their mouths guarding the hen house,” noting Berne fired his gun 11 times at Otis, an African American young man pulled over for “looking like a gangster.” PCW wrote “We have to wonder whether the DA is aware this ex-police officer prosecutor will be seen as 100% biased toward the police, but especially hope he will never be assigned to an officer involved shooting, death in custody or serious injury case.” We also used that letter to criticize the PPB having two of the officers involved in the 2001 death of José Mejía Poot—Captain Jeffrey Bell and Commander Chris Davis—sit in judgment at a May Citizen Review Committee hearing about excessive force.

On September 16, exactly 10 years after James Chasse was killed, family, friends, and community members (including PCW) gathered at Cerimon House in NE Portland to watch the documentary “Alien Boy” and have a discussion. The day after Thanksgiving, Don’t Shoot Portland closed off the block around SW 13th and Everett where Chasse died to gather and distribute food and clothes for those in need.
POLICE REVIEW BOARD REPORT: Still More Sustained Complaints for Internal Cop Misconduct; Overturning Board’s Vote, Chief Gives Reprimand to Domestic Abuser Cop

Portland’s Police Review Board (PRB), in their report labelled July 2016 (but released in October), reveals their findings in 7 cases other than three deadly force cases (p. 1). Three of the seven were considered “C” cases— involving community members—even though three of the four “B” (“Bureau only”) cases also revolved around cops interacting with members of the public. Fourteen out of 20 allegations were “Sustained” (that is, officers found out of policy), which as always needs to be tempered by the caveat that most cases that head to the PRB are sent to the behind-closed-doors body because of such findings. In one of those cases, in which an officer admitted to striking their spouse, the Chief over-ride the PRB’s recommendation of “Not Sustained” to find the cop out of policy... but only gave out a Letter of Reprimand as punishment. The ranks, assignments and genders are, once again, redacted.

The Board’s 3-2 vote in the abuse case was based on a recurring problem, which is how allegations are framed. They said that because the allegation only mentioned the officer striking their spouse and being arrested, and the spouse changed their story, violations of the “Laws, Rules and Orders” and “Conduct” policies could not be proven. The two dissenting votes, asking the Chief to Sustain the complaint, noted the language said the violations “included” those two issues. For the first time, in almost all of the non-deadly force cases, they explained how the cases ended up at the Review Board. In this case, an Assistant Chief, the IPR Director, and the head of Internal Affairs all controverted the commanding officer’s original “Not Sustained” finding. Since the reports don’t even identify who voted how by the members’ affiliations, we don’t know if the same two voting members (IPR and the Assistant Chief) were the two level-headed members, or whether one of the votes was from the sole PRB community representative— or maybe even a peer officer.

In addition to the PPB shooting and the man who was wounded by Tigard police after a chase involving the PPB (p. 1), there were five other recent officer-involved shootings/deaths in Oregon, and updates on an earlier incident.

—On December 16, Dallas (OR) Sergeant Rob Hatchell and Officer Mike Flemio shot and killed 36 year old Jeremiah Anderson in a Walmart parking lot after Anderson allegedly shot Hatchell in the leg (Oregonlive, December 17).

—On November 15, Clackamas Deputy Robert Cordova got into a tussle with Steven Wilson, 40, after Wilson, a pedestrian, was hit by a civilian’s car in Happy Valley. During the scuffle, officers say Wilson shot Cordova in the leg and Wilson suffered “unspecified injuries” (KGW-TV, November 16).

On October 13, Grants Pass Detectives Ryan Brown and John Lohrfink and Officers Scott Williams and Mike Miner shot and killed Shawn Pappe, 46. Pappe was driving erratically, allegedly had a knife, and didn’t respond to being hit with a Taser and less-lethal ordinance, possibly used by two other officers on the scene (KLTV, October 13 and Oregonlive, October 23).

—On September 10, Eugene Officers Mark Hubbard and Timothy Hunt shot and wounded Edgar Rodriguez, 26, who they say was armed with a gun (Eugene Register Guard, September 15).

—On August 25, Redmond Officer Corey Buckley intentionally struck Michael Gaskill, 63, with his patrol car, after Gaskill had gotten off a tricycle he was riding holding a gun near a hospital; he died three days later. Neighbors said Gaskill had serious mental health issues (Bend Bulletin, September 15).

—The family of Chase Hammer, who was shot and killed by Salem police in 2012 (PPR #58), received a $100,000 settlement and a requirement for Salem to improve mental health training and to set up a policy for communicating with families after their loved ones are shot by police (Oregonian, September 28). ■

Other stellar behavior included Specialist Isaac Lackey, who was fired for— while on duty— visiting another officer in Beaverton (presumably for a sexual liaison), and going to his spouse’s house in Clackamas while acting “increasingly aggressive.” Lackey was fired because of failing to show up at a specialty unit call after a supervisor ordered him to. We know this was Specialist Lackey because on December 7, his job was restored after City Council settled a grievance with the Police Association. In other words, the PRB reports, which purportedly tell the community “final” outcomes, don’t address whether the “union” gets discipline overturned. The re-hire came with a last-chance warning: if Lackey messes up again, he’s gone.*

Another cop was caught using steroids during a random drug test, and resigned rather than be fired. Officer Elizabeth Willard, who let a naked man in a park get a bear hug on her from behind and grab her Taser, was given 10 hours off without pay and remedial training. (Willard’s name was misspelled in an October 20 Mercury blog post.)

One officer who apparently used their patrol car’s spotlight to “intimidate” someone in the public was given a Letter of Reprimand, even though the Board noted this cop was a supervisor with a prior discipline record. Two other cops were found out of policy and given Command Counseling for arresting a suspect without a warrant. This was odd, since they had already arrested and released the woman but returned to bring more charges, perhaps after Officer #2 asked her to be an informant and she refused (the narratives are hard to follow). In another case involving an informant (this one listed as a “B” case), the officer failed to do anything after discovering the informant was involved in criminal activity, but was only given a Letter of Reprimand because of “lack of malice.”

Although the report’s release was delayed, it is worth noting that in addition to the information about how cases were referred (mostly by commanders who recommended discipline), for the first time, they used the name of one of the people shot by the police (Michael Johnson).


* Officer Scherise Hobbs, also on a “last chance notice,” was not yet fired as of December 1 for using the police database to spy on her stepdaughter “with whom she had a stormy relationship” (Portland Tribune, 12/1).
Also, the Compliance Officer/Community Liaison (COCL) and DOJ released new report cards on the City’s progress.

**Status Conference Includes Public Comment**

The six-hour status conference included the four main parties to the Agreement—the DOJ, the City, the Portland Police Association (PPA) and the Albina Ministerial Alliance Coalition (AMAC) for Justice and Police Reform. Having let the City go on for 90 minutes, including their showing a video of officers and civilians who’d ended a few potentially volatile situations peacefully, the Judge cut off the COCL team after about 20 minutes and COAB member Tom Steenerson after 15. Thirteen community members (including three members of Portland Copwatch/PCW) plus Commissioner Amanda Fritz collectively took up the last 90 minutes of the hearing. Simon explicitly gave PCW permission to send documents directly to him relating to the Agreement—a huge step forward for our organization.

The judge hinted to the DOI several times that if they asked him to find the City in non-compliance, the Agreement allows him to come up with a resolution which could over-ride the PPA contract. Instead, the DOI requested, in essence, that the City give a written plan to the judge in 30 days and return to court in 90 days. When the judge ordered the City to return, they balked, claiming his 2015 order which changed annual evidentiary hearings into status conferences (PPR #66) only allows for one hearing per year. They further charged the judge allowed “sexist and racist” comments to be made during public input, adding he had no right to allow the community to speak. In response, the judge said when they returned to court, he would address their concerns, including that he invited activist Joe Walsh to speak. Last year, Walsh won a lawsuit heard by Simon, who ruled the City can exclude people from public meetings one day at a time, but not impose a blanket exclusion. On December 14, the Judge suspended the extra hearing until the City’s appeal is resolved.

**COAB Sidelined, Active Anyway**

COAB’s efforts came to a halt on August 22 (shortly after our last issue went to press) when the City and DOJ declared the group would take a 60 day hiatus, defying input from community members including the AMAC. COAB had been unable to meet because City Council refused (as they testified in court) to fill the four vacancies left open by their appointees’ resignations. The Human Rights Commission and Commission on Disabilities have two seats to fill, and two at-large members need to be picked by the community, leaving 7 active members of the 15 member board (Jim Johnson resigned in December). Once they reconvened in October, COAB changed their bylaws to allow meetings of a majority of seated members, clearing the way to get back to work. They adopted oversight recommendations from their Accountability Subcommittee, which should have influenced the City’s discussion on fixing the Independent Police Review Division and Citizen Review Committee (p. 5), but came too late because of the empty seats and recesses. COAB was allowed to prepare for Simon’s status conference by having work sessions in late September and early October during their “recess.” In addition, the City held a community forum at Maranatha Church (hosted by AMAC) on September 12 to gather community input on how to fix COAB. Unsurprisingly, they did not use that input to make changes—they seemed more interested in putting on a show for the judge that those efforts were underway.

At their November meeting, COAB asked the Bureau why their recommendations, made over the course of a year and a half with intense research, were being ignored while those of the Behavioral Health Unit Advisory Committee (BHUAC) were being adopted and/or responded to. Mary Claire Buckley, who works with the Bureau’s Compliance Coordinator to oversee implementation of the Agreement, pointed to the few mental health Directives that had been finalized, noting the DOI mentioned taking COAB’s comments under advisement when reviewing those policies. Buckley also falsely claimed COAB hadn’t made recommendations about the by-then-finalized Training Directive. She did not answer why COAB’s proposals about racially neutral policing were not incorporated when the Bureau changed its Bias-Based Policing policy late in 2015 to match state law (PPR #67).

BHUAC members attending the meeting reported they had voted twice not to open their meetings to the public, but were open to ways to communicate with COAB and the general public to create a better feedback mechanism. In many ways, COAB’s Mental Health Crisis Response Subcommittee should just merge with the BHUAC to avoid duplication of effort.

The COAB, flabbergasted at their treatment as second-class citizens, demanded they be allowed to attend the closed-door meetings of the DOI, City/PPB, and COCL to finalize Directives.

The Agreement calls for the Chief and Police Commissioner (Mayor) to meet with COAB at least twice a year. The December 8 COAB meeting was slated to be the first of these meetings to happen in the two years since the Agreement was finalized—but the Chief and Mayor cancelled six days before the meeting citing “other commitments.” (The meeting was later cancelled due to snow.)

The Compliance Officer’s 1st/2nd Quarter 2016 Assessment Report (October 1) and the DOI’s annual report card on the City (October 18) came out in advance of the status conference. PCW’s analysis was subtitled “City Listens to Secret Committees While Public Ones Implose: DOJ and COCL Trade Off Going Easy on PPB.” We found the COCL (and DOJ) essentially signed off on letting officers get their stories straight after shootings by not ordering communications restrictions for up to six hours after an incident. The COCL’s report was also key to discovering how the BHUAC’s recommendations, like the “focus group” on the oversight system, received more attention from the City than the COAB—which was created specifically to oversee the Agreement. The DOI called out how the Bureau handled Chief O’Dea’s off-duty shooting as an example of non-compliance (p. 1). PCW’s analysis notes DOJ gave ratings higher than the COCL 17 times, while the COCL gave the Bureau higher ratings 14 times, creating confusion.

In November, the COCL released its third “Outcome Report,” which delves into statistics and officer feedback on the changes underway at the Bureau. The majority of officers continue to feel the Agreement is a “distraction” which is not helpful, while their faith in their own leadership plummeted and agreement that community members should participate in oversight went down. Overall PCW found the cops were not using less force because it was the right thing to do, but rather, as the report says, to “cover their ass.”

Sheriff Reese Keeps Job; Elections to Resume in 2018

On election day, the voters of Multnomah County sent two messages: 7% of voters wrote in someone other than former Portland Police Chief Mike Reese, and 74% of voters felt the position of Sheriff should continue to be elected. It’s possible that many of the write-in votes were for Don’t Shoot Portland founder Teressa Raiford, who mounted a last minute campaign after ballots went out. It’s probable that the issue of whether to elect the Sheriff didn’t involve broader discussions about the ultra-conservative movement which sees sheriffs as the highest elected officials in the land, or whether it would be easier to create a police accountability system in the County if the Commissioners directed their law enforcement branch rather than just setting its budget. Also, as noted in PPR #69, the last three Multnomah Sheriffs all resigned in disgrace, meaning the voters didn’t get a chance to use the ballot box to replace them. The County’s investigation into whether previous Sheriff Dan Staton violated administrative policies came to a halt when he resigned (Oregonian, August 17). As Reese began his partial term, a number of articles speculating on his priorities, from whether he still allegedly believes in “low-impact” guidelines about homeless people—not moving them around when there’s no space in shelters (Portland Mercury, August 31), to issues around trainers using demeaning language about inmates (Portland Tribune, August 25), to an interview with Reese himself admitting there is implicit racial bias in the criminal justice system (Willamette Week, October 5). However, after the election Reese released an audit failing to address earlier findings that use of force in the jails is disproportionate for African American inmates (PPR #68), scrutiny for race-related civil rights abuses (Tribune, December 20). Another sign this may be a troubled tenure: on election day, a deputy in a marked Sheriff’s vehicle drove slowly by election headquarters, using his PA system to urge people to vote for Donald Trump. An investigation is underway (Mercury Blog, November 8).

Training Advisory Council Squanders Chance to Talk with Chief’s Office

At the November meeting of the Training Advisory Council (TAC), Assistant Chief Mike Leloff appeared on behalf of Chief Marshman to answer questions about the Bureau’s response to TAC’s recommendations for the Training Division (PPR #69). But rather than look at their recommendations to end “us-versus-them” attitudes, improve force reporting, and change delivery methods, the Assistant Chief talked to them about recruitment efforts. Only TAC co-chair Sushanah Boston asked a question related to the proposals, which had to do with organizational change management—and Training Captain Bob Day answered her instead of Leloff. Considering that both the Community Oversight Advisory Board (p. 1) and Citizen Review Committee (CRC) are still waiting for feedback on recommendations they’ve made, TAC should have made better use of the command staff’s time. They then set about brainstorming issues to look at regarding training sessions to be designed in response to the proposals, which had to do with organizational change management— Training Advisory Council Squanders Chance to Talk with Chief’s Office.

Washington County Sheriff’s Office Continues Troubling Behavior

We’ve written many times about accountability issues in the Washington County Sheriff’s Office. In September, Deputy Brian Klostrom went to a civil dispute between a mother and her 14 year old daughter, and was caught on video telling the girl “You could be in the Middle East somewhere, having to wear a rag over your face, and you’re scum.” To his credit, Sheriff Pat Garrett admitted the officer was “inappropriate, insensitive and careless” (Oregonian, September 24). Also in September, Corporal Jon Christensen was sentenced for the crimes of official misconduct, coercion and strangulation in a 2015 incident in which he slammed a fellow deputy against a wall because she wanted to end their affair. Again to the WCSO’s credit, they fired Christensen, and gave up his police certification as part of a plea deal (Oregonian, September 7).
A November 21 post features Sergeant Chadd Stensgaard at Irvington Elementary, showing off his “equipment”—with a young child wearing a riot helmet and body armor. Similar photos show a child in a Halloween costume as an officer (which, it should be noted, doesn’t have a weapon as part of it) with Officer Rae Lynn McKay (11/1), and a child in a toy police car next to Officer Alfonso Valadez in an actual car in a photo posted to national site PoliceOne.com (9/9). A few other images show Sgt. Jacob Jensen “crashing a 4-year-old’s Birthday party” (12/6), another officer at Woodlawn elementary (11/18), officers at “Friday Night Lights” school football (9/9), cadets handing out police stickers at a soccer game (9/12), and officers receiving thank you cards from neighborhood kids who’d received stickers (9/9). The PPB also celebrated one year of “Geocaching,” a cell-phone based game that involves the Global Positioning Satellite (GPS) location of the user’s phone (12/6).

In a messed-up appropriation of “girl power,” when four year old Washingtonian Kinley Goertler was upset that the advertisement for a police Halloween costume showed a boy wearing it, her complaint started an internet meme on “Girl Cops are Awesome.” Kinley apparently visited a Portland event with that theme on October 27 and was photographed—wearing her Iron Man costume—for a picture with female PPB officers (10/28).

Policing Protests and the US Elections

On November 10, after two days of mass protests against the professed policies of incoming President Donald Trump, the PPA’s Facebook page cross-posted a news release from Chief Marshman asking protestors to communicate with the police before taking to the streets. The release quoted Mayor Hales saying the City has to “put safety first.” Still not understanding that people protest when people in power (including the Mayor and the police) aren’t acting in the interest of the governed, Marshman exaggerated issues with the protests, saying “peaceful protest shifted to vandalism” (reviving the debate about whether all property damage is inherently not “peaceful”... are Earth First protestors who monkey-wrenched clear-cuts violent in the same way police are?) and implied “theft and arson” were widespread at the demonstrations. The Chief then explains one person threw a Molotov cocktail, and one other person had their cell phone stolen. These overboard brushstrokes are partly what led to the cops telling the media to call the protests “riots” even when live video showed people wandering casually in the streets while police holding their thumbs in their utility belts calmly observed.

After the police fired pepper spray, tear gas, and concussion grenades/flash-bangs into crowds of people (p. 9), apparently some in the city felt this was an example of “community policing.” On Thanksgiving (November 24), PPA President Daryl Turner wrote “Brave men and women protected city with compassion, resolve and dedication amidst an anti-police climate.” On November 14, Turner published a graphic on the Rap Sheet site (and Facebook page) with the statement “Thank you, Portland, for the kind words and community support over the past few days. It means the world to our officers.”

The previous day, the PPA reposted a Facebook image from a community member who said the riot squad asked her to take a picture of them in full gear holding their hands in heart shapes. One commenter did note the irony of the militarized police making it seem like Happy-Go-Lucky-Land. Another, former PPB Sergeant John Minnis—who went on to become a Republican state senator in Oregon and head the Department of Public Safety, Standards and Training—posted a comment pushing back on people who thought the police had been too lax on protestors. “It’s not the rank and file that need admonishing. The Mayor and City Council are left-wing nut jobs who support the anarchists.” Not too surprising as Minnis also sought to categorize protestors as “terrorists” in the early 2000s (PPR #29).

An outside piece from PoliceOne.com editor Doug Wylie, posted and linked to by the Rap Sheet on November 9, made predictions about the Trump presidency. Recalling when President Obama called out the cops for racially profiling an African American Harvard professor entering his own house, Wylie wrote: “It is safe to assume there will be no need for a ‘beer summit’ during the Trump administration, and that politically left-leaning appointees at the DOJ will soon be floating their resumes.” Wylie points out the National Fraternal Order of Police (with which, thankfully, the PPA is not directly associated) endorsed Trump in part because he went out of his way to share photos of himself shaking hands with the officers on his security detail. (Remember that, those who still wonder why PCW has a policy not to shake hands with police—PPR #59.) Wylie notes protests would likely continue, saying “Police will have to protect the first Amendment rights of those who take to the streets, while also preventing the destruction of property that has been commonplace in demonstrations following controversial police shootings in recent years.” He calls the protests an “ongoing officer safety issue” but then also admits Trump himself is unpredictable. Wylie also sounds excited there will be more immigration enforcement and suggests with likely increases in US military action in Syria, law enforcement in the US need to be vigilant for blowback from such a policy. He doesn’t, however, urge Trump to take a more thoughtful course of action.

Still Talking Short Staffing and “Gang” Crimes

Even as the PPA contract was signed in mid-September to supposedly bring in dozens of new police recruits (and stop old cops from retiring by allowing them to “double dip”—more on p. 1), the PPA continued its propaganda about being short-staffed. A KPTV-Fox12 story quoted Officer Patrick Murphy about the “catastrophic” reductions being proposed to the Gang Enforcement Team, cross-posted to the PPA Facebook page on September 6. The Rap Sheet linked to a November 10 story from the Portland Tribune saying “gang” violence is unlikely to break the record this year. They credit the operation in April which led to 51 arrests (PPR #69) and involved “contacts” with 105 former offenders (who weren’t necessarily visibly engaging in any criminal activity when police approached them). In his Thanksgiving Facebook note to PPA members, PPA President Turner nonetheless refers to “skyrocketing gang violence” that keeps officers from being “proactive.”
City Keeps Paying Big Bucks for Police Misconduct

In addition to the $90,000 paid to teenage Thai Gurule for the beating he was subjected to by the Portland Police (above), the City settled a number of other claims recently.

On November 9, Sophia Holmes received $10,000 from City Council for having her car mistaken as stolen and stopped by PPB spike strips. Allegedly the “make, model and license plate number closely resembled a car on the ‘hot sheet’ of stolen vehicles.” Perhaps the City convinced her it was an “honest mistake,” but it was a fairly serious infliction of harm against someone who was not actually a criminal suspect.

Also on November 9, Jennifer Castro was awarded $13,000 because the police advised her to drive her “estranged husband” somewhere after she called for help, and the ex-husband assaulted her after the police left. A terrible story, but notably this is more about police inaction than improper action.

On November 23, Council approved $18,000 to Tinca Stoica, who says police used excessive force and wrongfully arrested her in 2014. Court records show that a criminal trial determined police had no probable cause to arrest Stoica when they were looking for her husband.

So there’s another $131,000 out of the City’s self-insurance fund which is coming out of taxpayers’ pockets and not the officers’. ■
Once again, Portland Copwatch (PCW) has analyzed postings to the Portland Police Association (PPA) official newsletter site, the *Rap Sheet*, as well as its Facebook page. We looked at 51 posts from mid-August to mid-November, surprised that the flagship pparapsheet.org only had 8 articles posted in the same time. Only two of those pieces were PPA originals (the rest linking to external sites), and no articles are shown as posted in the months of September or October. In December, they acquired a new web tool that imports the Facebook posts from both the PPA and ORCOPS, the lobbying entity headed by PPA President Daryl Turner, blurring the lines with the *Rap Sheet* completely. In total, there were 31 more Facebook posts until December 14. As in the past, the majority of the Facebook posts—42 of 82 (51%)—focused on the Portland Police Bureau (with 38 re-posts from the PPB’s Facebook page). Three *Rap Sheet* posts and 16 on Facebook were about officers shot in the line of duty. We found some other themes and present that information below.

**“Community Engagement”: This is What Blue-Washing Looks Like**

In the environmental movement, the term “green-washing” is used to talk about polluters who try to paint themselves as eco-friendly. As the police struggle to gain public confidence in the post-Ferguson era, and the PPB specifically works on “community outreach and engagement” as listed in the US Department of Justice Agreement, it has given rise to what we’re calling “blue-washing.”* At least 21 items posted to the PPA’s Facebook page involved officers doing some kind of charity work. Not that it’s a bad thing to have the cops spend a whole month supporting a cure for breast cancer (11 posts, including officers who are survivors) or wanting to help with school supplies (2 posts) / food and household items for families in need (3 more). However, in the broader context of a Bureau which still disproportionately interacts with African Americans including in use of force cases, and exerts more force against people with mental health issues and/or who are houseless, it seems cynical to do so without apologizing and changing behavior. Sort of like an abusive husband bringing home a bouquet of flowers but continuing the abuse.

The *Oregonian*, whose October 7 article was one of the PPA’s Facebook posts, added to the blue-washing in reporting an interaction between Sgt. Anthony Passadore (who shot and wounded a man in 2006—PPR #40) and Justin Smith, a man with developmental disabilities. Smith had created a craft bracelet and wanted to give it to a police officer. When Passadore came to the Bethesda Day program to swap a police badge sticker for the bracelet, he noted his sense of kinship with Smith was because they both “know what it’s like to be judged because of how they act and what they do.” The difference, of course, is that Smith was born with his disability, and Passadore chose to put on the police uniform. This is why Dave Chappelle made his joke on Saturday Night Live in November: “Blue Lives Matter? What, was you born a police? That is not a blue life. If you don’t like it, take that blue suit off, find a new job. If I could quit being black today, I’d be out of the game.”

A more troubling trend is the use of children to promote police as “family-friendly” militarized agents of the state. (continued on p. 10)