SLIGHTLY MORE THAN HALFWAY INTO 2021, PORTLAND POLICE SHOOTINGS UP BY 200%

Cops Fatally Shoot Man in Crisis, Wound Two Suspects; DA Investigations Make News

The headlines have been relentless this year about the increase in civilian-on-civilian shootings and homicides being doubled since 2020 in the same time frame. Why don’t the media also blare out that with three shootings in May, June, and July, the Portland Police use of deadly force has quadrupled since last year at this time? Likely because even after a year of racial justice uprisings and the conviction of the Minneapolis officer who murdered George Floyd, the mainstream narrative in Portland continues to be that police have the right to kill with impunity. The police wounded Darren Carr, 37, on May 22 when he was pulled over in the wrong stolen car. They shot and killed Michael Townsend, 40, on June 24 after being on the middle of a protest using special weapons. All of them resigned their positions on the Bureau’s Rapid Response Team (RRT), cops who volunteered for special training and duty to enforce crowd control including using special weapons. All of them resigned their positions on the Team shortly after the indictment was handed down, claiming they had been complaining about lack of support despite so many hours of work last year. No mention on their part of the 6000+ uses of force at protests in 2020 (PPR #83). So many lawsuits and complaints have trickled in about police actions at the protests it is hard to keep track of them all. (continued on p. 5)

City Blames Feds for Portland Police Violence at Protests, US Dept of Justice Orders Changes

Community Engagement Committee Shows Mixed Messaging on Areas of Concern

In February, when the US Department of Justice (DOJ) chided Portland for failing to maintain compliance with the 2012 Settlement Agreement calling for reduced police use of force, they asked the City to come up with a plan to fix the problems. Instead, the City sought to blame the DOJ broadly for escalating protests last summer— even though the federal agents involved were (a) not from the Civil Rights Division and (b) not responsible for Portland Police officers using unprecedented amounts of force on protestors. In July, the DOJ outlined a nine-point plan for the City to regain compliance, leading off with the requirement to equip all cops with body worn cameras. At about the same time, the Compliance Officer/Community Liaison (COCL) released its Report for the first quarter of 2021— roughly three months behind schedule. That Report includes eyebrow raising information about officers not taking training about force at protests seriously, and hammers away at the Bureau’s poor analysis of what went wrong last summer. The Portland Committee on Community Engaged Policing (PCCEP), created under the Agreement in 2018, held several seminars about how to plan a Truth and Reconciliation program for the Portland Police, heard from the City’s Director of Public Safety, briefly discussed the Bureau’s draft Annual Report, and got presentations from from the DOJ, the COCL and PPB about the compliance issues.

Considering the City entered into the Agreement with the attitude that they had not violated anyone’s constitutional rights but were willing to make changes proposed by the feds, it’s not surprising they failed to take responsibility for the ultraviolent response to the 2020 protests. A key example is the case we wrote about in PPR #82, where an officer hit a woman in the head with a baton at a protest and both the DOJ and COCL had to push for the indictment of an officer for actions in the middle of a protest grabbed media and community attention. It also was apparently the last straw for Budworth and all 50 officers on the

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Police Accelerate Alliance with FBI Around Community Gun Violence, Which is Up Nationwide

City leaders, some community members and many mainstream media outlets have been expressing exasperation that there are not enough police to slow the tide of community-on-community shootings which have shaken Portland since the pandemic struck. Occasionally, you will hear one or two of those people admit the shootings and murder rates have gone up in most major cities, regardless of whether or not they “defunded” police. Nonetheless, there is still a myth that disbanding the Gun Violence Reduction Team (GVRT) in 2020 led directly to the upsurge in community violence. As noted in PPR #83, after creating the Enhanced Community Safety Team (ECST), mostly detectives who investigate shootings after the fact, the City also assigned 20 officers to the “Metro Safe Streets Task Force,” with the officers deputized by the Federal Bureau of Investigation (FBI) and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The City further sought to militarize Portland’s streets by adding the Focused Intervention Team (FIT), which would essentially do the work of harassing mostly Black community members previously done by the “Gang Enforcement Team” and the GVRT. Funny story: they can’t get enough officers to volunteer to be on the FIT, in part because their work will be monitored by a community oversight board—which itself has not been fully staffed (Oregonlive, July 18). Meanwhile, new traffic stop data for the first quarter of 2021 shows that as usual, Portland Police disproportionately stopped African American drivers. In an effort to change those numbers, Chief Chuck Lovell announced a plan for police to stop pulling people over for non-moving violations such as expired tags or broken tail lights.

Months into the rebooted, and fractured, new gun violence efforts, Portland Copwatch (PCW) still cannot figure out whether the ECST and the Safe Streets teams are the same. District Attorney Mike Schmidt said the Safe Streets Task Force is in addition to the ECST (KPTV-12TV, April 13). A PCW ally pointed out that the FBI calls the deputized group the “Violent Gang Safe Streets Task Force,” indicating Portland’s work to stop blaming all shootings on “gangs” doesn’t extend to their federal partners. After a mass shooting incident downtown in July which killed one and injured six, the Mayor called for “more resources.” The next week it was announced the FBI would be patrolling downtown’s “entertainment district” along with the PPB. PCW has long been wary of team-ups between the FBI and the local police— particularly on the Joint Terrorism Task Force, because of the FBI’s history of targeting, spying on and disrupting communities of color, certain religious communities, and mostly left-leaning activists. It’s important to note that the incomplete oversight board is only supposed to focus on the street-side FIT and not the investigative ECST or, if it’s not the same, the Metro Safe Streets Task Force.

According to data released for the first quarter of 2021 about traffic and pedestrian stops, 19% of those stopped by the PPB were African American drivers, over three times the representation of Black people in the general population. Pedestrian stops continue to be grossly under-reported with the PPB saying they only stopped 14 people on foot in the three months of January-March 2021, yet three of those people (21%) were Black.

The 2020 annual stops report was published on August 3. The PPB claims to have only stopped 241 pedestrians in all of 2020. Nineteen percent of them (46) were African Americans. Comparing that to the 2019 totals of 1131 pedestrians and 178 African Americans stopped, or 16%, even if you believe the cops dialed back enforcement by nearly 80% due to COVID, things got worse for Black Portlanders.

The annual stop data reports also include information on searches at traffic stops. The PPB admits the search rate of African Americans has been disproportionate in four of the last five years, with 227 of 4268 drivers searched (5.3%) vs. 417 of 17,135 white drivers (2.4%). The “hit rate,” or how often contraband was found, remains imbalanced despite the PPB’s claim to the contrary: only 54.6% of Black drivers had something on them while 63.3% of white drivers did. As in the past, this means they are finding illegal items only about 86% of the time when searching African Americans.

Not long after the Chief’s office told the Portland Committee on Community Engaged Policing of their plan to change guidelines for traffic stops (p. 1), a formal announcement was made in late June. The rules still allow officers to pull people over “if there’s a safety concern or a specific subject is being sought” (Oregonian, June 23). Moreover, they do not have plans to change the Directive guiding traffic stops to reflect this change, so officers won’t be held accountable if they continue busting people for minor infractions. However, the Directive is going to be changed to require officers to (a) let people know they can refuse a search, and (b) audio-record the responses. Still, if the model being used is similar to that of Fayetteville, North Carolina, where officers were given less discretion to pull people over and searches of Black drivers went down by 50% (USA Today, April 15), perhaps we will finally see the numbers change here.

Find PPB stop data at <portlandoregon.gov/police/65520>.

Legal Briefs: Supreme Court Denies Warrantless Home Searches for Minor Crimes

In June, the US Supreme Court ruled that an officer pursuing a fleeing misdemeanor suspect does not categorically have the right to enter a home without permission or obtaining a warrant (NPR, June 23). The Fourth Amendment ordinarily requires police officers to get a warrant prior to entering a home except when “exigencies” create an urgent need for a warrantless entry. The Court ruled that many (but not all) misdemeanor crimes do not meet the threshold of exigent circumstances for an officer to pursue a suspect into a home without a warrant. Officers will need to take reasonable measures to balance the immediate need to pursue the suspect with the need to comply with the Fourth Amendment on a case-by-case basis.

In this case, Lange v. California, Arthur Lange drove by a California Highway Patrol officer playing loud music and occasionally honking his horn. The officer began to follow Lange and turned on his overhead lights. Shortly after, Lange turned into his driveway, pulled into his garage, and began shutting his garage door. The officer jumped out of his car and stuck his foot under the door to stop it from closing. The officer interviewed Lange in the garage and charged him with a misdemeanor for driving while intoxicated. Lange moved to suppress the evidence of intoxication because the officer entered his home without a warrant. The trial and Appeals courts rejected Lange’s motion and the evidence was allowed. However, the U.S. Supreme Court agreed with Lange that the evidence from the warrantless search should be suppressed and vacated the lower court’s judgment.

See another Legal Brief in “Quick Flashes” on p. 9
The existing community board examining police accountability cases, the Citizen Review Committee (CRC), made recommendations to defrock three officers and find one of them out of policy in an appeal they heard in June about a protestor arrested for twerking in a bike lane. After voting on it at their July meeting, they published a 40-page report regarding Portland Police crowd control, making 23 recommendations for improvements in use of equipment, de-escalation, training, and issues around bias. In late July, City Council appointed the 20-person Commission* to establish the guidelines for the new oversight system created by ballot measure in 2020 (PPR #82). At CRC’s July meeting, Commissioner Jo Ann Hardesty, who championed the new board, visited CRC and expressed support for their work, including being open to improving the way they are allowed to make decisions. For its part, the civilian agency which oversees CRC, the “Independent” Police Review (IPR), put out another insufficient Annual Report (p. 4), made worse by failing to present that report to CRC.

**Case 2021-x-0001: Officers Single Out Black Woman Twerking for Arrest; One Cop Files Inaccurate Report**

On August 17, 2019, during a protest against a right-wing rally held in Portland (PPR #78), Alonna Mitsch was in the bike lane of a downtown street, twerking to some music and, more significantly, flipping off police in an approaching oversize vehicle. The cops had a discussion about it being a “stretch” to arrest her for disorderly conduct, then proceeded to do so. It is disputed whether the three involved officers took her to the ground using force (and/or forcefully put on handcuffs), and existing video did not clarify these issues. Mitsch, who is Black, filed a complaint with eight allegations, alleging improper arrest and use of force by each of the officers, and inaccurate report writing and racial bias by one of them. The original findings were that the officers were in policy (“Exonerated”) for the arrest, the claims of force and the report writing were “Unfounded” (evidence showed they did not happen), and whether the arrest was racially motivated was “Not Sustained” (not enough evidence one way or another). Generally speaking, unless an officer uses a racial slur, allegations of Disparate Treatment are very hard to prove.

With the help of attorney Maya Rinta, Mitsch appealed the findings to the CRC (case 2021-x-0001). The hearing lasted for four hours. Ultimately, because they are saddled with a standard of review requiring them to agree with the police if a “reasonable person” could come to the same conclusion, they agreed the arrest was in policy, but voted to add a debriefing so the officers would be talked about their performance. The vote was 6-4 on all three findings, with several thinking it was not reasonable. (The addition of the debriefing on the first finding was added on a 10-0 vote, but incorporated in the final two motions.)

While the videos could not prove force was used, they also did not show officers were not using force, so CRC challenged all three force findings. The City Attorney, new to the process, ignored years of precedent and made them vote separately to agree the finding wasn’t supported and then to propose “Insufficient Evidence with a Debriefing” findings instead (no wonder the hearing took so long). For some reason, the challenge for Officer A was on a 9-1 vote, while that motion passed 10-0 for Officers B and C. All three had the revised finding added on 9-1 votes, with member Taylor Snell wanting to propose a “Sustained” (out of policy) finding.

Because of the photographic and video evidence, CRC found that Officer B wrote an inaccurate report when he said Mitsch was the only person standing in the street (she wasn’t) and that no force was used (even though it’s clear the officers at least put their hands on her and pushed her arms up to cuff her). It will be interesting to see how the Bureau reacts; if the allegation more specifically had said he was lying, the cop would face termination. Penalties for bad report writing are much lower.

In terms of the racial bias question, it is pretty clear the police at least targeted Mitsch because they did not like her attitude; they mentioned she had flipped them off in their reports. Other people who were in the street were not people of color, and she was wearing a Black Lives Matter t-shirt 9 months before George Floyd was killed, making her stand out. One important fact which came out: the cops’ oversize vehicle would not fit in one lane of traffic. Thus, their accusation that Mitsch was blocking traffic while in the bike lane was a circular argument—the police created the traffic and then arrested her for being in their way. Ultimately, CRC could not prove bias but voted 10-0 to add a debriefing to the “Not Sustained” finding.

**Crowd Control Work Group Proposes Limits on Police Responses**

CRC’s Crowd Control Work Group had held community forums and conducted an online survey to help them formulate their findings and recommendations (PPRs #81-82). The finished document referenced a report by Portland United Against Hate outlining harmful actions during protests, an IPR report regarding a 2017 incident where police “kettled” protestors, a mild but lengthy report by the national Police Foundation which the City commissioned, and, significantly, the CRC’s 2015 Crowd Control report containing recommendations which were never fully implemented (PPR #65).

The CRC’s report recommends that the Bureau permanently adopt the ban on the use of chemical weapons, protect bystanders from “unintended” harm, have clear identification on officers’ uniforms (an issue which got worse after their 2015 recommendation on the matter), and refrain from boxing in protestors on all sides (“kettling”). This last item was added late in the process after Portland Copwatch reminded CRC the previous report only ignored this issue because the Bureau lied to the Committee and said they did not use kettling as a tactic, even though many people—including a member of PCW—had experienced it first hand. The report was adopted unanimously (8-0) at their July meeting. CRC plans to bring the report before City Council.

**Commissioner Praises Volunteer Efforts, Promises Support for Two Years as New System is Designed**

Commissioner Hardesty has previously let it be known that she finds the IPR/CRC system far from perfect, one reason she put the new system on the ballot. Nonetheless, she praised the CRC members for their work, and noting it could be 24 months—July 2023—before the new system is in place, encouraged them to keep doing their work until the new board is ready to go. CRC members asked whether she would be open to changing their deferential standard of review to be a “preponderance of the evidence” (50%/4+) (continued on p. 4)

* In PPR #83, we reported the Commission would have 15 members rather than 20; PCW regrets the error.
On June 3, the “Independent” Police Review (IPR) released its 2020 Annual Report, a seven page document with six pages of appendices. About three weeks later Portland Copwatch released an 11 page analysis to examine places the IPR presented incomplete information or provided no information at all and fill in the gaps. In a year of unprecedented police violence at protests about racial injustice, this included poor reporting on use of force, no reporting on deadly force, and barely any mention of race. Moreover, while the IPR acknowledged they fell behind in complying with the 180 day deadline to finish investigations required by the US Department of Justice (DOJ) Settlement Agreement, they once again made no reference at all to police treatment of people with mental illness—the main focus of the DOJ’s investigation.

The scant data IPR did include in the body of the report mostly focus on the protest-related complaints, saying how the cases were processed or dismissed, but not the outcomes. PCW feels a thorough analysis of complaints, outcomes and the overall process are crucial as a way to compare IPR to the soon-to-be-implemented oversight system placed into the City Charter by voters as measure 26-217 in November 2020 (p. 3).

PCW’s analysis shows officer-officer misconduct is more likely to be found out of policy.

Some of the items PCW found:
—there were zero officers found out of policy in 2020 for Use of Force allegations, despite the Portland Police Bureau (PPB) using force over 6000 times and over 222 Force misconduct allegations being filed.
—there was an overall rate for sustaining Force allegations since IPR began in 2002 is 1.2%, with just 29 sustained findings out of 2495 allegations.
—because IPR started breaking Force allegations into subcategories a few years ago, Force dropped out of the top five most common allegations. However, since it constitutes three of the top 10 categories, PCW listed Force as the #1 allegation type in 2020.

Also at IPR/CRC:
—As noted above, Director Ross Caldwell only mentioned IPR’s Annual Report in passing during his “Director’s Report” to CRC at their July meeting. The Report was released one day after their June meeting. CRC’s section is short and inaccurate. While this system continues there needs to be better cooperation and communication. The Director also consistently skims over data in his monthly reports including the status of deadly force investigations, even in July just 13 days after the shooting of Michael Townsend (p. 1).

Members of the Commission include Debbie Aiona of League of Women Voters, Jason Renaud from the Mental Health Association of Portland, Lovisa Lloyd, who formerly helped prosecute officers through the DOJ Civil Rights Division, Seemab Hussaini of the Council of American Islamic Relations of Oregon, Sophia Glenn of Pacific NW Family Circle, and Dan Handelman of Portland Copwatch. Meetings are expected to begin soon and will be open to the public.

PCW’s analysis shows officer-officer misconduct is more likely to be found out of policy.

PCW analysis: <portlandcopwatch.org/ipr_2020_analysis.html>
Police Association Takes Contract Sessions Behind Closed Doors

Like clockwork, the Portland Police Association (PPA), the “union” representing rank-and-file officers, jumped at their chance when bargaining for their new contract reached its 150th day, using a provision of state law to demand future sessions be held in private mediation. The City expressed disappointment in this move, which shuts out the community’s previous ability to monitor every second meeting. By this time, organizers working on the campaign for a contract that benefits the community had racked up nearly 80 group signatures on a letter to Council outlining major concerns. Specific topics which came up before the June 14 announcement included that the PPA claims they’re all for the City getting body worn cameras because they “believe in accountability,” while the City pushed to make all bargaining sessions public as part of the contract, and proposed to revamp the Bureau’s Discipline Guide.

Public sessions were held on May 5 and June 2, with sessions open only to PPA and the City on April 21 and May 26. Because the ground rules established for bargaining required the parties to post a news release after each session, the public learned about the PPA’s body cam proposals (which they brought in on April 21). Notably, mediation is generally considered a confidential process, so the community will only learn what will (or won’t) be in the contract at the end of the discussions. Worse, if the mediation leads to an “impasse,” an arbitrator, not the City Council, gets the final say on what the contract will look like. That said, the Portland Mercury published a copy of the proposed Discipline Guide obtained through a public records request on August 6.

The PPA specifically asked that they and their officers be allowed to review body camera footage before writing reports. This is considered bad investigative practice, in part because, for instance, the Supreme Court ruling guiding police use of force relies on what the officer knew at the time, not “20/20 hindsight.” Thus, reviewing the footage this way undermines that standard.

The discussion of the Discipline Guide on June 2 included the City’s proposal to make disparate treatment (racial profiling) a fireable offense. In theory, the PPA and its Executive Director Daryl Turner agreed to this at a PCCEP meeting in 2019 (PPR #79). The City said they want the Guide to be mandatory, and for it to apply to the current and future oversight systems. Complicating this matter is that a state law was passed indicating for it to apply to the current and future oversight systems.

Through former Mayor Sam Adams, who is now Director of Special Projects for the Mayor, Wheeler supported the highly questionable police tactic of kettling—surrounding protestors on all four sides to affect mass detentions (Oregonian, May 16)—even though there are court cases pending challenging that strategy.

The “Independent” Police Review (IPR) continues to publish data on complaints received about officer misconduct at protests, with the July 7 Director’s Report showing 273 complaints, 139 of which were about Force. A table shows 82 cases are being or have been investigated, while 44 were dismissed and four were sent to Precincts or Supervisors for review. IPR does not reveal the outcome of the cases. However, for example, the two Oregonian reporters mentioned in our last issue each posted that administrative investigations found no wrongdoing in either case. Beth Nakamura posted her findings letter to Twitter in January. Dave Killen posted an excerpt in which the police essentially told him he did not see what he saw when he accused officers of firing less lethal weapons randomly into a crowd already encased in smoke.

In addition to the closed lawsuit by Ms. Jacobs and the one opened by Mr. Warren, here are more reported in the media:

- Kristen Jessie-Uyanik and Lillian “Back” West sued the feds for shooting at the former in the head and wounding the latter’s ear drum with a grenade (Oregonian, June 27);
- Donovan Labella, famously struck in the head by a federal munition and suffering severe head injuries, also announced plans to sue (Oregonian, June 6);
- Erin Wenzel, who was acting as a volunteer medic at protests when officers broke her arm by slamming her to the ground, is suing Portland for $500,000 (Portland Tribune, May 26); and
- Hanna Helm, who uses a wheelchair, is suing the PPD and Officer Brent Taylor, saying Taylor slashed the tires on her car and left her stranded for hours (Tribune, June 23).

We’re sure this is just the tip of the proverbial iceberg.

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For more information see <portlandcopwatch.org/ppa_contract_campaign2019.html>
Portland Police Shoot Four in Four Months (continued from p. 1)

Michael Townsend: First Killing by African American Officer in Portland?

Although Portland Copwatch hasn’t necessarily tracked the race of every officer involved in deadly force incidents since we were formed in 1992, we believe when Officer Curtis Brown (#37135) killed Townsend, it marked the first time a Black officer in Portland killed a suspect. A person of color being on scene may be partly what led to rumors Townsend was Black (he was not), which in part prompted the Police Bureau to release surveillance camera footage of the shooting days after it occurred. It showed Townsend sitting on the stairs of a motel at NE 6th and Holladay surrounded by two paramedics and two cops. In the video, he jumps up and the responders back away; Brown pulls his gun and kills Townsend. It’s not clear why Brown didn’t seek cover, ensure he had an escape route (see: many earlier cases including Jack Collins [PPR #850] and Thomas Higginbotham [PPR #53]) or, perhaps, use a less lethal weapon against the “tire repair tool” similar to a screwdriver Townsend was holding (Oregonian, July 2).

Townsend’s sister explained he had mental health issues. The police and paramedics showed up to attend a possibly suicidal individual. This death and Delgado’s in April show that nine years under the US Department of Justice Settlement Agreement have not done anything to stop police from killing people in mental health crisis.

Darren Carr: Cop with Racist Past Shoots at Moving Vehicle

While police were out looking for a stolen pickup truck, they came across Darren Carr in a different pickup truck of similar make and model which also happened to be stolen. The incident occurred at NE 33rd and Sunderland. Media reports Carr drove toward the officers, at which time Officer Colby Marrs (#52826) fired at and hit Carr. He apparently was able to continue driving but was stopped by police spike strips on I-84 in east county (Oregonlive, May 23). Carr wasn’t immediately identified, leading to concern he was African American (he is not) — because Marrs’ previous claim to fame was harassing a Black bicyclist, leading to a $25,000 settlement (PPR #75). Strangely, Multnomah County’s booking information gives his name as Darren Ronaldalden Carr; a 2013 Oregonian article says he was 27 when he was arrested then, though he would have been 28 or 29, with the name Darren Ronald Alden Carr, but the PPB’s news release called him “Darrin R. Carr.” Carr received “non-life threatening gunshot injuries.”

Joshua Merritt: Charged with “Unlawful Use of a Weapon” After Breaking a Bottle

While the details of the shooting of Joshua Merritt are still sparse, the police have made it known he is being charged with “unlawful use of a weapon.” A little later it was revealed the “weapon” was a bottle Merritt broke inside the store at NW Naito just north of the Steel Bridge (Oregonlive, July 21). The officer who shot Merritt was Craig Lehman (#51073), who is known as one of the officers pulled off of crowd control duty for being too violent in 2020. It seems the City cannot blame this uptick in police violence on the rash of community gun crimes, since none of the four shootings involved officers being confronted with an actual firearm.

Addressing the Conflict for the District Attorney Investigating Police

There is an inherent conflict of interest in which the District Attorney, often called the lead law enforcement official in the County, has to consider prosecuting police, on whom he relies on a daily basis to investigate civilian-on-civilian crimes. In recognition of that conflict, Multnomah DA Mike Schmidt asked the Oregon Department of Justice to co-lead the investigation into the April 16 death of Robert Delgado in Lents Park. Officers mistook Delgado’s orange-tipped BB gun for a real firearm. The unusual team-up came after a call by the family and its lawyers for an independent investigation (Portland Tribune, May 5).

Schmidt previously reached out to the state to investigate Gresham Officer James Doyle, who shot and killed Israel Berry in Portland last May (PPR #81), but when they declined, he hired a private attorney to investigate. The case took over a year to get to a grand jury, which found the Gresham cop did not violate the law by shooting at Berry’s moving car (Portland Mercury blog, July 9). It is not clear who is investigating the Townsend and Carr shootings. Similar concerns led to unusual developments in protest-related cases (p. 1).

Other Portland Deadly Force News

—A March 31 incident in which officers surrounded the car of Tai Anh Tran, 46, at 122nd and Mill, is being investigated as a death in custody because Tran was boxed in at the time he (allegedly) took his own life. Portland Copwatch called attention to this case when it was listed in the “Independent” Police Review’s Director’s reports starting in April; IPR Director Ross Caldwell claimed the PPB would not provide Tran’s first name because he died by suicide. When PCW pointed to at least 7 other cases where a person was said to have died by their own hand during a police action, Caldwell said he would look into it. The details were revealed on July 15 by the Portland Tribune.

—The case of Teri Jacobs, a woman forcefully hit in the head with a baton by Officer Corey Budworth at a protest last year, prompted a criminal review (p. 1) and, after prodding from the US DOJ and Compliance Officer Dennis Rosenbaum, an internal investigation. The DOJ listed in the “Independent” Police Review’s Director’s reports starting in April; IPR Director Ross Caldwell claimed the PPB would not attend a possibly suicidal individual. This death and Delgado’s in April show that nine years under the US Department of Justice Settlement Agreement have not done anything to stop police from killing people in mental health crisis.

—At Portland State University, three years after public safety officers shot and killed Jason Washington (#75), they have agreed to stop arming their campus officers starting in September (Portland Tribune, June 16).
Oregon Law Enforcement Headed for Record Year of Deadly Force With 25 in Thirty-Two Weeks, The State Escalates Its High Rate

Portland Copwatch documented how police in Oregon did not slow down their use of deadly force despite the pandemic in 2020 (PPR #83), noting the 35 incidents last year match those in 2019. As of August 15, there had been at least 25 deadly force incidents in the state so far this year, meaning we could exceed the record of 37 from 2018 unless something is done to control these extrajudicial killings (and wounding). Since our last issue, fourteen more shootings have occurred around Oregon including three more shootings by Portland Police (p. 1). Notably, Salem police were involved in two incidents in less than two weeks in early July. Here are details of the incidents outside Portland:

—On August 11, unnamed officers from the Medford Police, Central Point Police, Oregon State Police, Phoenix Police, and the Jackson County Sheriff’s Office shot and wounded Aurelio Escobar, 25, in Canyonville after they chased the carjacking suspect and he allegedly pointed a gun at them (KOBI-TV, August 11).

—On July 28, Keizer Police Sgt. Kevin DeMarco and Officers Scott Keniston, Michael Kowash, Jeremy Darst, Chad Fahey and Cody Stupfel were involved in shooting and wounding Sean K. Beck, 47, after he allegedly started shooting at them when they stopped the vehicle he was in. Beck drove away and apparently killed a pedestrian as he fled police, who then shot him at a Home Depot parking lot (Oregonlive, July 31).

—On July 9, Salem Officer Nathan Bush shot and killed Arcadio Castillo III, 23, reportedly suspected of domestic violence and carrying a knife (KOIN-6TV, July 12).

—On July 7, Medford Officers Levi Moffitt and Cody Walker shot and killed Jerry Allan Gunter, 34, when he supposedly came at them with a knife after burglarizing a medical clinic (Jackson County District Attorney, August 11).

—On July 1, Salem Detective Erick Hernandez shot and wounded Efринson Bosy, 22, after he allegedly rammed a patrol car with his vehicle as they investigated a civilian-on-civilian shooting (KOIN-6TV, July 2).

—On June 16, Beaverton Officer Erik Faulkner shot and wounded Shawn Michael Roy Montoya, 32, a suspect in a burglary. Police claim Montoya shot himself in the head at the same time Faulkner fired, thereby not attributing his death to the officer (Oregonlive, June 22).

—On June 7, Clackamas County Deputy Casey Newton shot and killed Jeremiah L. Wright, 44, in Happy Valley after he “flied [from police] in the car and then by foot.” They found a gun near Wright, but the family lawyer questioned the legality of the shooting (Oregonlive, June 9).

—On May 30, Springfield Officer Bronson Durant shot and wounded Alexander Konnoff, 38, when he emerged from his house with a “tactical blade.” He drew police attention when he “was yelling and playing loud, threatening recordings” in the neighborhood (Eugene Register Guard, June 19).

—On May 17, Jackson County Deputy Travis Cote shot and killed Rodney Purslow, 32, near Willmer after he allegedly attacked his own father and threatened to shoot himself with a rifle. Cote fired eight times through a car windshield, hitting Purslow seven times (KRDV-12TV, June 24).

—On May 12, Marion County Deputy Ron Cerginho and Silverton Officers J.J. Lamoreaux and Braden Anderson shot at, but apparently did not hit, Kenneth Williams Peden III, 20, in a car in which he held a young woman he’d allegedly kidnapped (Oregonlive, May 13). Seventeen year old Molly Taylor was injured by bullets and later died from her wounds, which the District Attorney claimed were not caused by police (KGW-8TV, May 20).

—On May 8, Clackamas Deputies Robert Cordova and Jonathan Zacharkiw shot and wounded Gerald Barnes II, 48, after he allegedly fired a bullet at an Oregon City officer through a windshield, causing a bullet fragment to injure the officer’s eye (Oregonlive, May 17).

Updates on previous cases:

—Gabriel Maldonado, the former Tigard officer who killed Jacob Macduff in January (PPR #82), was fired from the Port of Portland Police for not revealing he was under investigation for the shooting (Associated Press, May 21).

—The Portland Tribune revealed that the officer who used a Taser leading to the death of James Marshall in October (PPR #82) was Steven Teets. Teets is under investigation for banging on the door of a woman who had a Black Lives Matter flag and destroying her Halloween decorations (Tribune, May 5).

With $600,000 Paid to Terrell Johnson’s Family, Settlements Inch Toward $700,000 Yearly Average

Portland Copwatch has been tracking settlements, judgments and jury awards given out on police misconduct cases since 1993, posting data including the top 25 list on our website. We recently updated the data, including the major awards to the families of Quanice Hayes ($2.1 million, PPR #83) and, on July 21, Terrell Johnson ($600,000). Like the Hayes settlement, City Council allowed the Johnson family attorney to speak as well as two family members, making for a moving hearing which clearly affected most of the Commissioners. PCW hopes this practice will continue.

A Portlander was also good enough to share 10 years’ worth of claims from a public records request, which show over 200 cases adding up to nearly $222,000 with amounts mostly under $5000. The significance? That’s the threshold to send a case to Council for a vote. Many of the cases are for things like breaking (or running into) fences, hitting the wrong car’s tires with spike strips, and other lost and damaged property. PCW contends that most of these incidents would still occur—and still cost the City money—even if officers wore body cameras.

Overall, the total amount paid out (that PCW knows of) since 1993 is now $19,246,434.53, an average of $675,313 a year, up from $600,000 in last year’s analysis. See the top 25 list at portlandcopwatch.org/top25settlements21.html

Former PPA Head Hunzeker Faces Second Probe

Brian Hunzeker, the Portland Police Association President who resigned after doing something (still unknown) related to the leak of City Commissioner Jo Ann Hardesty’s (wrongful) accusation in a hit-and-run (PPR #83), was put on administrative leave in late May. This likely has to do with a separate incident in which Hunzeker was recording good samaritans who approached a car in which two people were passed out. Police refused to check on their safety but happily made rude comments to the bystanders and even pointed guns at them once the car’s occupants woke up (Portland Mercury blog, May 19).

Another level of scrutiny will come from a lawsuit that Hardesty has given notice she plans to file against the City and Hunzeker for falsely identifying her as the driver in the hit-and-run (Willamette Week online, August 4). At least two 911 dispatchers have faced discipline for their part in sharing that information out as “gossip” (Oregonlive, August 4).

Obama Hating Cop Gets Job Back

In our last issue we wrote about Officer Andrew Caspar having been fired for lying to Internal Affairs about telling people he didn’t chase a suspect because of rules put in place by President Obama. In June, an arbitrator decided that Caspar did not intentionally lie and ordered that he return to his job with back pay (Oregonlive, June 30).

Former Pdx Cop in Racist False Arrest Loses State Job

Michael Stradley, the former Portland officer who helped persuade fellow West Linn cops that Michael Fesser, an African American man, was still involved in gangs 20 years after his last known arrest (PPR #80), resigned as a training officer at the Department of Public Safety, Standards and Training in June (Oregonlive, June 8). Couldn’t happen to a nicer guy. ■
remedies. If the City doesn’t agree, formal mediation takes place, and if that fails, the DOJ can ask Judge Michael Simon to order the City to make certain changes. It’s unlikely it will come to that, since the City has not-so-secretly wanted to buy body cameras for years anyway. Also, it’s been reported that the main opponent of these surveillance tools, Commissioner Jo Ann Hardesty, is warming up to their use. At the PCCEP’s Settlement Agreement and Policy Subcommittee meeting on July 15, where the proposed remedies were revealed, the DOJ argued body cameras will “pay for themselves.” Portland Copwatch challenges them to do a cost-benefit analysis, since most cases leading to settlements will not be stopped by the presence of cameras, the average annual cost of misconduct is about $675,000 a year (p. 7), and the cost of the camera program is estimated at $1.2 million a year.

Other proposed remedies have to do with fixing forms, doing a serious review of the crowd responses to improve training, holding Supervisors accountable for allowing improper force to occur, and creating a plan to implement the new oversight board. For their part, the City padded out their 2021-22 budget in June with $1.7 million for what they think will help them comply, about a quarter of which is to buy software to track force reports.

The DOJ stated the COCL’s Quarterly Report was delayed because the City did not continue generating the data required for the analysts to review, thinking they would be done with the Agreement in January. More hubris. The Report says officers attending crowd control legal updates and equity trainings kept their internet call cameras off, so it was not even clear they were listening. Despite the Agreement’s requirement to use surveys to assess training, there were no surveys for the equity training. Anecdotally, the COCL says some officers were defensive when being told about racial and other inequities.

**Subcommittee Work and Special Guests at PCCEP Meetings**

A Portland Copwatch (PCW) member who attended one of the webinars at which the PCCEP invited experts to discuss a planned truth and reconciliation program reported the meeting was informative and inspiring. At the PCCEP Racial Equity Subcommittee, they discussed having a police officer formally become a co-chair of the group. PCW pointed out that one of the downfalls of the PCCEP’s predecessor, the Community Oversight Advisory Board, was having police officer members on a community committee, and that furthermore until the reconciliation happens, it is not appropriate to have cops in anything but an advisory function. Apparently no decision was made yet.

PCCEP member Vadim Mozyrsky, who also sits on the Citizen Review Committee, used subcommittee meetings of both groups to push the idea of body cameras. The powers that be keeping ignoring PCW’s comment that it is more likely the cameras will be used to prosecute community members than to hold officers accountable.

In late April, the PCCEP heard from Mike Myers, the Public Safety Director whose job was created early in 2021 to coordinate among Fire, Police and Emergency operations. Myers laid out his expectation the PPB would find new ways to ensure community safety, including, perhaps, using Bureau of Transportation personnel rather than cops to enforce traffic laws. At the same meeting, the Chief’s office announced their intention to direct officers not to pull people over for non-moving violations, something which led to a decrease in traffic stops and disparities elsewhere (p. 2). The PCCEP adopted theirCore Patrol Services recommendations, hoping the City Council will translate them into policy, though the City budget was mostly finalized by the time they had their vote.

At their May meeting, the Committee agreed to ask the Mayor to appoint Celeste Carey, a longtime KBOO-FM radio host, to fill an empty seat. Because of confusion about whether Carey had finished her training (or even been formally appointed by a vote of Council), it was unclear whether she was considered a voting member in June. Council appointed her on July 7.

At the June meeting, the PCCEP did not even seem to realize the PPB’s draft Annual Report did not include issues they recommended two years ago. PCW noted the Report’s only mention of the two officer involved shootings in 2020 was that the Detectives Division investigated them. They added a section on police shootings in the final version, but didn’t name the suspects. The Bureau announced the Agreement-required meetings in each of the three precincts quietly, with the second and third meetings happening after the City Council presentation on August 18. The August 17 North Precinct meeting did include some discussion of bias-based policing and use of force as required by the Agreement. This year’s Council presentation lasted 33 minutes, longer than 2020’s eight minutes, but did not address those issues and did not involve public input. Since the DOJ flagged the presentations in the Annual Reports as out of compliance, we hope the Bureau will do better.

In July, the PCCEP heard a talk from Deputy Chief Chris Davis about how the Bureau is committed to improving this community. By the end of the week, Davis announced he was hired to be the police chief in Green Bay, Wisconsin. The Committee announced that two members, Yolanda Salguiero and Marcia Perez, were leaving the group—Salguiero to move out of state and Perez to focus on her work. This led into an awkward discussion at the end about the City’s plans to bypass the PCCEP’s current role in selecting their new members.

A special guest that night was Kieran Ramsey, Special Agent in charge of Portland’s FBI, invited to speak about the Bureau’s role in the Metro Safe Streets Task Force (p. 2). Ramsey stated that the FBI is only here to investigate gun crimes, but then also said that immediately after a shooting they would act to stop people from engaging in revenge shootings. Replying to concerns PCW raised about the FBI’s long history disrupting and harming the Black community, he told a story about his supervisor keeping a framed copy of the surveillance warrant for Martin Luther King Jr. on his desk. It was ostensibly a reminder of what NOT to do, but one wonders whether it was more of a trophy.

**Compliance Officer Doubles Out of Policy Findings**

The main presentation in July was the Town Hall with the Compliance Officer/Community Liaison consultants reading highlights of their Q1 Report. Previously, they had found the City out of compliance with about eight paragraphs; in this Report they moved nine more sections to “Partial Compliance” ratings, and three to “at risk” of failing to meet the standards of the DOJ Agreement.

Many of the new ratings were due to the PPB’s lack of action to get back into compliance after the massive uses of force and poor reporting thereof at protests for racial justice in 2020. Perhaps more interesting than the main body of the Report is a memo they sent to the City after its self-assessment of the protest response. The COCL called the City’s review “not comprehensive in facts or scope,” and raising questions about ableist language referred to the “tone deaf” conclusion they did an “excellent job.”

Interestingly, one of the new paragraphs that fell out of compliance was whether the City is providing adequate staff to the PCCEP. Because of lapses in getting things posted to the website and responding to COCL requests, this section is now in “Partial Compliance.”

Find PCW’s analysis of the COCL Report at <portlandcopwatch.org/COCLanalysisPCW0821.html>.
At their July meeting, the Training Advisory Council (TAC) voted to adopt four sets of comments they made about the Bureau’s Crowd Control training. In light of the intense focus on the Bureau’s excessive force at protests in 2020 which has led to an indictment, officers resigning from crowd duty (p. 1), and recommendations from the Citizen Review Committee (CRC) on policies (p.3), it was disappointing that details of the recommendations were not discussed when the Council voted. However, at the same meeting they committed to creating a work group to make formal recommendations to the Bureau about crowd training, so perhaps there will be more community engagement moving forward. Meanwhile, in May they received data on the Q3 2020 Use of Force report, but not the Q4 or the Q1 2021 ones, which were completed before July. They also bid a too-fond farewell to Lt. Greg Stewart, who is retiring from the Bureau.

The recommendations about the crowd training came after eight of their more than 20 members attended trainings, an advantage they have as an advisory group to the police over groups like the CRC. The comments tended to be officer-centric, although there are also admonishments to remember the effects of certain actions on crowds. It would have been good for the TAC to discuss publicly that they criticized the Bureau for (a) having a Thin Blue Line flag hanging in the Training Division, and (b) making jokes about community trauma, implying the experiences of “Black and Brown persons are not taken seriously.”

PCW reported on the Q3 data in our last issue (PPR #883). The Q4 2020 and Q1 2021 data show familiar disparities around race, with African Americans making up between 25%-30% of those subject to force by police in a city with a 6% Black population. It was interesting, then, that Lt. Chris Lindsey, the Force Inspector, went into excruciating details about the Q3 data, but when asked to speed up, quickly noted there was a screen reporting on demographic data but did not read that key information to the Council members.

At the May meeting, they also adopted recommendations about improving training for Bureau leadership. They corrected one point in their analysis of how many people were inaccurately reported to be armed but were not, which had been reprinted without context in the media.

The laudatory comments for Lt. Stewart began as a biography from Captain Dave Abrahamson that was handed to TAC Chair Shawn Campbell to read, but continued with Campbell himself praising Stewart for helping the Bureau be less defensive against the TAC’s (relatively mild) criticisms. Other members asked whether “Greg” could be persuaded to stay on the force to help them. During public comment, Portland Copwatch (PCW) member Dan Handelman pointed out that Stewart killed a man by shooting him through the front door of Stewart’s home in Scappoose in 2007 (“Greg” could be persuaded to stay on the force to help them. During public comment, Portland Copwatch (PCW) member Dan Handelman pointed out that Stewart killed a man by shooting him through the front door of Stewart’s home in Scappoose in 2007 (PPR #43). This was said not to spoil the party, but to make that point that when reviewing officers’ histories, the Bureau should acknowledge when officers have taken people’s lives. The officers could describe how it impacted their lives/careers. Such honesty and openness would go a long way toward truth and reconciliation.

Finally, while the TAC has been meeting to share notes with the Portland Committee on Community Engaged Policing and the CRC informally, they are also part of the Bureau’s official “Council of Advisory Groups” (CAG) which began meeting in 2020. PCW had called for such meetings to happen many times in the past. At the July meeting, Chair Campbell announced that TAC would be “stepping back” from its role on the CAG. The Q1 2021 Compliance Officer’s report on the US Department of Justice Settlement Agreement indicates that there were arguments among the advisory groups about how to bring “critical information” to the Bureau. It sounds as if the other bodies (African American Advisory Council, Muslim Advisory Council, etc.) are mostly asking the police to do more about crime in their communities, rather than also reminding them of ways they need to be held accountable.

Behavioral Health Unit’s Community Group Holds Public Outreach Meeting

On June 23, the Behavioral Health Unit Advisory Committee (BHUAC) held its second-ever public outreach meeting. Having failed to listen to the multiple comments at their first session on March 24, this was not a meeting at which policies about people with mental illness interacting with police were discussed. Instead, it was another set of presentations from Bureau personnel. Since mental health and police use of force are at the center of the US Dept. of Justice Settlement Agreement, it’s not clear why the group continues to shut out public participation when substantive discussions are going on. Disability Rights Oregon, which has had a seat on the BHUAC since day one, is among those calling to open the meetings up.

City Changes Rules to Sweep Houseless, Then Wipes Out Laurelhurst Camp

In July, the City announced new rules to guide when contractors (mostly “Rapid Response Bio-Clean”) and cops can make houseless people leave certain spots where they are living. This includes if they are within 10 feet of a business and if there is known criminal activity in a camp. Days later, after months of being fended off by community members working in solidarity with those living near Laurelhurst Park, the police and the contractors dismantled the temporary homes of about 70 people. The final impetus for this inhumane action was an alleged sighting of a gun being waved near the park. The rules seem to allow for rumors rather than demanding actual evidence.

On the bright side, City Commissioners, especially Commissioner Jo Ann Hardesty, personally and/or through staff did outreach to the people in the park before the big sweep happened. While this resulted in slightly less animosity than the last sweep (PPR #82), there were still problems. Some legal observers reported being kept away from being able to record police activity. One enterprise lawyer put GPS tags on some of the campers’ belongings and found that they ended up in the dump instead of the storage facility as required by law and policy (Portland Tribune online, August 3). Did we mention the sweep happened on a day temperatures were expected to reach in the high 90s (but a cloud cover eliminated that challenge)?

Supremes Pass on Qualified Immunity Case

The US Supreme Court declined to take up an appeal from the family of Luke Stewart, a Black man, who believed the officer should not be shielded from prosecution because he did not act within his duties. Officer Matthew Rhodes of Euclid, Ohio woke Stewart up in his car; Stewart tried to drive away and Rhodes shot and killed him. The federal court and 6th Circuit Court of Appeals granted the officer qualified immunity, a decision that stays in place with the Supreme Court failing to hear the case (Reuters, May 24).

Info on the Training Advisory Council is at <portlandoregon.gov/police/61449>.
PPA WANTS MORE MONEY (continued from back page)

more police, while 24% and 30% want the same amount. Turner highlights a quote he gave the reporter that people don’t feel safe. In the original article, there are references to shootings and destruction of property, Council’s inability to cut $18 million from the police in the fall (PPR #82) and their rejecting funds to reinstate the GVRT. At the end of the article a community member talks about Black people being questioned for no reason by police and advocating for cuts; Turner’s analysis ignores this.

—Another May 18 post focusing on a KOIN-TV6 piece talks about how 50 shots fired by civilians could have been a “death sentence.” Apparently, the Police Association doesn’t understand the difference between when the state takes a person’s life and when community members harm one another. Though the KOIN piece quotes Portland’s FBI Special Agent in Charge being cautious about using the term “gang war,” Turner is convinced the shootings, which led to people threatening to do violence to one another in a hospital (and drawing a response from 64 officers), was “gang violence.” Side note: Rattling off data about there being 33 homicides by May 18, Turner seems to forget one of those was an officer killing Robert Delgado in April.

—The PPA uses a KOIN story on May 23 to argue a Trimet bus driver was hit by a stray bullet because the City isn’t using “common sense” to fund police so they can “proactively” prevent crime.

—On June 10, Fox News (national) echoed the PPA’s sentiment that Portland is “reeling from deadly gang violence amid calls to defund police,” saying “people are scared.” That article quotes former GVRT chief Sergeant Kenneth Duilio saying the multiple shootings are a new phenomenon. He closes out claiming the Bureau is down 100 officers.

—On June 21, the PPA posted an Oregonian article where Chief Lovell bemoans the difficulty of “staffing levels and defunding. To their shock, Portland had been subjected to 150 nights of protests and that the entire Rapid Response Team resigned after one of their members was indicted (p. 1). Turner explained they had thought about resigning in 2020 because they were criticized about their actions when they “volunteered” to be a buffer between the protests and the community. There’s a lot wrong with that sentence, but to be clear, the officers who were on the RRT were paid for what they do, they just volunteered to take on this role. He noted the same officers can still be ordered to provide law enforcement at protests. Turner tied together many of the above themes, saying there is no “us vs. them,” and that the police stand with the community— again ignoring the actual demographics of the PPB. More importantly, we note the police are not actively calling for an end to the killings of civilians by law enforcement. He described the lack of support from City Council as being “handcuffed and tied down.” When the anchor asked whether the calls to defund were “self-inflicted” by police behavior, Turner said all 800,000 law enforcement officers in the country have good contacts with the community.

—On August 4, the PPA announced a new “Public Safety Awareness Campaign,” which politicizes funding the police by criticizing City Council members who recognize police can’t solve all of Portland’s problems.

Screening Out Racists from a Racist Institution

A New York Times article posted to the PPA Facebook page May 12 was titled “Efforts to Weed Out Extremists in Law Enforcement Meet Resistance.” While the conundrum of respecting individuals’ First Amendment rights to be hateful is explored, the article cites a new Oregon law allowing review of officer candidates’ social media posts. The statute includes a clause stating “racism has no place in public safety.” For his part, Turner is quoted supporting vetting of new officers to allow individual police departments to decide how to deal with extremists. In other words, he seems to be OK with localities which are overtly racist to keep racist cops in the institution of policing, which was created and perpetuated to keep America a white-led nation. Turner does agree officers need to be held “to high standards.”

General and Specific Responses to Accountability Issues, Including Indictment

These were the three pieces focusing on officer accountability:

—On June 15, Turner called the decision to indict Officer Corey Budworth for hitting a protester in the head a “politically driven charging decision.” He says Budworth was facing an “aggressive crowd” with people wearing “tactical helmets” and carrying weapons, and used the “lowest level of baton force.” Anyone who has seen the video can tell Budworth whacked the woman squarely in the head before walking off, seemingly proud of himself. (It’s not clear why this news release can’t be found on the PPA’s website.)

—On May 8, a post from the Oregon Coalition of Police and Sheriffs (ORCOPS) called for people to contact the legislature to oppose SB 621, designed to allow the new civilian oversight board to be instituted in Portland without negotiating its terms in collective bargaining. Warning against “bait and switch,” the lobbying group told people the ballot measure said the City would meet its obligations under collective bargaining law but then had the legislature pass the bill to break that promise. Since the PPA likely still has some legal challenges to the bill, which passed and was signed (conclusion, p. 11)
More Tiny Bits of Change in Portland Police Policies Subjected to Public Input

The Portland Police Bureau (PPB) posts its policies ("Directives") for public review once or twice a month, asking for public input. Portland Copwatch (PCW) often uses this opportunity to assert that so long as we have police, they must do no harm to the community and be held accountable. As we noted in PPR #83, their draft Directive on interacting with the LGBTQ+ community was fairly progressive to start with; a revised version posted in June was even better in some places. Another new Directive about officers being required to intervene when their colleagues are acting improperly similarly shows promise. PCW also commented on a new "Officer Wellness policy" and others which had been reviewed previously, meaning we mostly recycled our comments except in the rare instance where the Bureau adopted a proposed change.

April: PCW followed up on comments about PPB participation in the FBI's Joint Terrorism Task Force (JTTF), continuing to ask that officers be prohibited from taking part in JTTF activities if the FBI engages in discriminatory training. The City’s only change was to allow the Chief to ask the City Attorney for legal advice about whether JTTF activity might violate Oregon’s anti-spying law.

A somewhat related Directive about Bias Crime Reporting was posted at the same time— one criterion for officers to work with the JTTF is if there is a "hate crime." Since our last comments in March 2020, the PPB added gender identity to the list of protected classes, which we’d suggested... and also became state law in 2019. We asked the Bureau to tone down its call for a “swift and strong response by law enforcement” to prevent rogue officers going out to “kick butt.”

May: The Directive on Racial Profiling came back after two years. The PPB adopted PCW’s idea to remove “lawful source of income” as a protected class, because they should not discriminate if a person, say, sells marijuana or engages in consensual sex work. We noted the Discipline Guide has not been updated to allow for termination for biased policing, even after an officer resigned with back pay after originally being fired outside the existing guidelines (PPR #77).

PCW also updated its comments on Performance Evaluations (no meaningful change), Lawsuits and Claims (one minor change), and the Employee Information System (which still doesn’t define what “traumatic incidents” get entered into that database).

Later in the month, we commented on a new Directive guiding PPB intelligence files, which could allow the Bureau to evaluate itself for compliance with state laws. They also posted the Truthfulness, Retaliation, Conduct and other policies. We thanked the Bureau for adding “political ideology” to the list of characteristics around which they cannot discriminate in the Conduct policy.

June: PCW updated its comments on nine Directives about accountability, including the Police Review Board, Administrative and Criminal Investigations policies. For the new Active Bystander Directive, we supported the idea that staying silent while other officers commit misconduct fosters a culture which does not value accountability. Under this Directive, officers could be disciplined for failing to stop or report fellow cops’ misconduct.

In late June, the updated LGBTQ+ Directive indicated the Bureau listened to feedback from members of the community to make cops use a person’s preferred pronouns and name. However, they inexplicably cut the definition of “gender,” and opened up to cisgender, straight males the ability to request an officer of a certain gender identity to conduct searches. They also posted the new Officer Wellness policy. We reminded the cops they can build trust with the public by being calm, centered and healthy when out on the streets.

The Portland Police Association does not set policy. However, some PPA leadership and officers express negative attitudes toward citizens and civilian oversight in their web postings. We worry these ideas may spread throughout Portland’s ranks. The PPA’s website is <www.ppavigil.org>. Find the PPB Directives at <portlandoregon.gov/police/29867>.
The Portland Police Association (PPA) has continued its ongoing crusade to convince the people of Portland the City needs more police. As usual, their social media posts on Facebook over-emphasize crime (including “riots”) and the alleged short staffing of the Portland Police Bureau (PPB). From late April to mid-August, 20 of 33 posts (61%) were focused on crime, funding the police, or both. One repeat theme, mostly from PPA Executive Director Daryl Turner, is to express how tired “the community” is of civilian-on-civilian shootings and to push the idea that police are part of the community—ignoring the fact that less than 1/5 of officers actually live within city limits (Portland Mercury blog, July 26). The two other most prominent categories were articles showing positive images of cops, also known as “bluelogging,” and accountability/oversight with four and three posts respectively. There was no mention at all of the PPB fatally shooting two people in mental health crisis (p. 1). Like most of the 18 pieces derived from mainstream media sources, one about the topic of screening out racist officers includes a quote from Turner. Another, loosely tied to the crime/budget issue, was a national TV interview where Turner discussed the resignation of the Rapid Response Team (also p. 1).

Important news broke on the PPA Facebook page on June 8, when they revealed they had moved out of their headquarters on NE Lombard due to the repeated attention it was getting from protests and vandalism (including a few small fires and graffiti). They stated they intend to sell the old building, but did not reveal the location of the new one. State records indicate these cops who pledge to be “part of our community” have moved to Milwaukie. Next, we have comments on some of the other posts.

**PPA: Don’t Give Money For Social Services Unless You Also Fund Police**

Many of the articles addressing funding more cops to combat crime also pay lip service to the idea the Police Association is ok with giving money to social services, as long as the money doesn’t come out of their budget.

—On May 4, Turner said “people are hurting,” with gun crime up and the pandemic still out there. Saying the Bureau incorporates “integrity” and “accountability,” he bashes “electeds” who won’t give money to cops. He calls funding social services a form of “political trickology,” a “smoke and mirrors” effort to deceive the public. Trotting out the statistics that Portland has 120,000 more people than 25 years ago but 170 fewer officers, he once again ignores the overall comparison of crime. Excluding shootings, crime is mostly down in Portland. He points to Oakland and Minneapolis as two cities which re-funded the police after defunding last year. He specifically says not to make people choose between public safety and social services, without explaining how he would plan to balance the budget paying for both. Significantly, he offers a half hearted apology for referring to Portland as a “cesspool” (PPR #75), but only to people who find the term offensive. After all, we need to turn the City around, he says.

—In a May 13 piece titled “The Elephant in the Room,” Turner claims the city is on the precipice of a “gang war” as in the 1990s. Once again asserting causality—and ignoring data from other cities—he claims the rise in gun violence is a direct result of dismantling the Gun Violence Reduction Team last year (PPR #83). Turner, who is an African American man, accuses the City Council of turning a blind eye to the fact that 65% of the victims of gun violence are Black, Indigenous or People of Color. Begging for more funding, he claims people are moving away and businesses are being “forced to relocate.” (It’s not clear who is forcing them to do this.)

—In highlights taken from an Oregonian article about whether to fund police (May 18), the PPA notes that 50% in the metro area and 42% of Portlanders want