2021 Portland Police Shootings Quadruple 2020; 2 More Dead, 2 More Injured

When the city’s homicide tally made a record at 70 for one year, little attention was paid to the fact that 4% of those homicides were committed by Portland Police. In addition to the killings of Robert Delgado (PPR #83) and Michael Townsend (PPR #84), Officers Joshua Howery (#37867) and Jake Ramsey (#56803) shot and killed Alexander Tadros, 30, while assisting on a federal Drug Enforcement Administration (DEA) warrant. The shooting took place early on August 27. On September 12, Officers Ivan Alvarez (#60436) and Jonah Gellman (#60435) shot and wounded Andreas Julian Pavel Boinay, 27, when he crashed a stolen truck. On December 6, Officer John Hughes (#45063) shot and killed Brandon Keck, 30, on the freeway after an alleged series of carjackings. Days later, police shot and wounded Joshua Degerness, 39, after a traffic stop. Four dead and four wounded—with eight shootings PPB’s deadly force rate is 400% of what it was in 2020. Meanwhile, grand juries found no criminal wrongdoing in the deaths of Townsend or Delgado, despite the state Attorney General’s office helping investigate the latter case. The September Police Review Board Report (p. 3) included scant details on the 2019 killing of Koben Henriksen (PPR #79) and no-hit June 2020 shooting at Grey Stockton (PPR #81), except to find the cops violated no rules.

Alexander Tadros: Police Say Gunshot Wounded Officer

The DEA was trying to search a residence on North Willis when they say Tadros threatened to shoot them. They called for backup from Portland’s Special Emergency Reaction Team (SERT). Tadros then supposedly shot at officers, (continued on p. 6)

City, DOJ Hash Out Remedies for Failed Compliance with Agreement Between Court Appearances

Shortly after our last issue went to press in late August, at a Status Conference in federal court the US Department of Justice (DOJ) presented its nine proposed remedies for the City of Portland to return to compliance with the 2012 Settlement Agreement regarding excessive force used by police. The parties told Judge Judge Simon they had been unable to agree on details of remedies, which include instituting body cameras, and were headed into mediation. Those closed-door sessions took place in September and October, leading to a second status conference on November 9. There, Simon noted that the amici curiae (friends of the court) Albina Ministerial Alliance Coalition for Justice and Police Reform (AMAC) and Mental Health Alliance (MHA) had raised valid concerns about the proposed amendments and asked everyone to mediate one more time. Meanwhile, the Portland Committee on Community Engaged Policing (PCCEP), a volunteer group created under the Agreement, has experienced an entire turnover in its membership just three years into its existence. Problems recruiting new members—especially young people—under COVID have left them with no backup plans to fill empty seats. In October, another advisory group, the Behavioral Health Unit Advisory Council (BHUAC), held its third public outreach meeting and agreed to consider talking about police shootings of people in mental health crisis.

Also in October, the Compliance Officer/Community Liaison (COCL), a consultant hired to (continued on p. 8)

Slow Motion

The federal government is going to do what Portland wouldn’t: strap cameras on cops.

Council Votes to “Re-fund the Police” ... Sort Of; Rehired Cops Must Have Clean Records

On November 17, facing unprecedented pressure from media outlets and a mysterious Political Action Committee, the City voted to add money into the Police Bureau budget just over a year after “defunding” it by $15 million (PPR #81). To be fair, which is difficult here, the City is in the process of being required by the US Department of Justice to fund body cameras for police, hire a civilian to oversee the Training Division, and provide a line-item budget for officers to use overtime to attend trainings (above right). These items will cost roughly $3 million.

During about six hours of public testimony (the first chunk of which was made up of people invited by Council) on November 10, a majority of people questioned why the City was pouring more money into the police. Some people came on with legitimate concerns about public safety, while others sounded more alarmist about the cleanliness of downtown with often overt anti-houseless rhetoric. Some of this latter testimony may have been prompted by the shadowy group “People for Portland,” which raised hundreds of thousands of dollars, (continued on p. 9)

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PEOPLE’S POLICE REPORT #85

JANUARY 2022

www.portlandcopwatch.org
While the City awaits the implementation of a new, empowered oversight board (p. 3), Portland still relies on the “Independent” Police Review (IPR) in the Auditor’s office to act as a check on officer misconduct. The Citizen Review Committee (CRC), which is housed in the IPR, normally meets every month and hears appeals on complaints. The CRC only met once between September and December. They heard no appeals, including that they did not hold a required “supplemental hearing” on the complaint by former Portland Police Sergeant Liani Reyna, a whistleblower who said she was discriminated against by Internal Affairs (PPR #82). They were not completely idle—CRC’s Crowd Control Work Group brought its report and recommendations to City Council on September 22, and the Policy and Outreach Work Group held a few more meetings to learn about body worn cameras. IPR published its Quarterly Reports for summer (August 17) and fall (November 10), indicating in the latter they are back in compliance with the required 180 day timeline to investigate complaints.

**New Update on Case #2020-x-0002: Potential Discrimination Against Whistleblower Cop**

As noted in PPR #84, IPR failed to meet the required US Department of Justice (DOJ) mandated 10 day timeline to complete further investigation ordered by CRC in October 2020 on Sgt. Reyna’s complaint (#2020-x-0002). CRC wanted to know if there was more to be learned about why Internal Affairs (IA) did not investigate a previous complaint Reyna filed. Rather than 10 days, the IPR returned its finding there was no new evidence in August—10 months later, but CRC didn’t discuss that information until October, a full year after the appeal hearing. (The last two month delay was because CRC cancelled its September meeting.)

CRC’s protocol PSF 5.13 calls for CRC to hold a supplemental hearing when their request for more investigation is completed. Simple logic: they never voted on whether to agree with the Bureau’s “Exonerated” finding on that allegation, and need to do so. Moreover, they also asked the Bureau to change two findings on allegations of discrimination from “Unfounded” to “Not Sustained” (insufficient evidence) with a debriefing. It has never been reported if those findings were changed. In the meantime, one of the two IA managers under scrutiny, Capt. Cliff Bacigalupi, retired. The other, Commander Jeff Bell—the subject of the unresolved allegation, had been assigned to the Detectives Division but recently was sent back to Professional Standards/IA. Despite Portland Copwatch raising this concern, because CRC cancelled its November and December meetings, no action has been taken or will be taken at least until January, 15 months after the first hearing.

**Crowd Control Report “Accepted” By Council, Meaningful Change Eluded by Chief**

Also in PPR #84, we reported CRC had published a Report on Portland Police Crowd Control based on the events of 2020 and several forms of community feedback. Auditor Mary Hull Caballero has not put anything on the City Council agenda for months since she got into a dispute with Commissioner Jo Ann Hardesty over the future of IPR in the spring (PPR #83). Thus, CRC had their Report added to the agenda by the Mayor’s office. While CRC made a good presentation and received some positive feedback, Commissioners Ryan and Mapps wondered what the Police Bureau thought about the Report. Perhaps they were reacting to the Portland Tribune article published the morning of the hearing with the headline “Report blames Portland police for protest violence.”

Their question is not completely unwarranted. In the past, CRC has given their recommendations to the Bureau for comment and included any responses in the packet headed to Council. Chief Chuck Lovell replied two days after the Council hearing, mostly repeating the word platitude about how police are “human beings who were subjected to almost nightly events where dangerous objects were thrown at them” and “it is impossible to discuss the future of crowd control events without talking about staffing.” Needless to say, this was not the recommendation-by-recommendation response afforded to paid consultants like the OIR Group which reviews deadly force incidents.

Because it was a Report, the Council only acted to unanimously “accept” the CRC’s complex document, months in the making. Portland Copwatch sent comments to Council in advance of the hearing, but our points about “kettling,” officer identification, and showing up in riot gear were not discussed because at that time the Mayor continued his policy of not allowing public oral testimony during hearings on Reports (p. 5). The Crowd Control Work Group continues to meet and is strategizing on how to get their recommendations implemented.

**IPR Catching Up on Timeliness as Noted in Threadbare Reports**

One of the sections where the City failed to maintain compliance with the US DOJ Settlement Agreement is paragraph 121, which calls for investigations to be completed in 180 days. The COCL’s Second Quarter Report (p. 1) noted that of cases initiated by the end of 2020, 180 days before the end of Q2, 50% of IPR and 19% of IA cases were over the deadline. IPR is required by Ordinance to put out quarterly reports, which at one point used to contain multiple points of information, such as types of complaints handled, case summaries and activities of the CRC. The most recent two Reports only included updates on timelines and the basic facts about the six officer-involved shootings which took place from April to September (p. 1). The Q3 Report announces IPR has caught up with its backlog, and no cases reported in Q2 went over 180 days. That could be in part because 180 days had not passed since the start of Q2 when Q3 ended.

While IPR is not going to be around for much more than 2-3 more years, it is the only agency which stands between the community and a world where police do all their investigations unsupervised by civilian eyes. Now that timeliness may be under control, we hope IPR will get back to reporting meaningful data, including the outcomes of the 120+ complaints they received from the 2020 protests. Their last update on those data was posted in April, and says 79 of them were investigated/being investigated. Portland Copwatch only knows of two cases where there were Sustained findings against officers (p. 3); the IPR doesn’t indicate on its website what findings are attached to protest cases.

**Body Camera Discussions Not What CRC Expected?**

In our last issue we briefly mentioned CRC’s Policy and Outreach Work Group was hearing presentations about body worn cameras for police. They heard from New Orleans over the summer. The September Work Group meeting was attended by a Captain from the Beaverton Police, which has had bodycams since 2017. When asked whether use of force and complaints against police went down after the copcams were implemented, as some studies suggest, the Captain said there was no noticeable change. This seemed a surprise to Work Group Chair Vadim Mozyrsky.

(continued on p. 3)
In September, the Police Bureau released the second Police Review Board (PRB) Report of 2021. The PRB meets in secret, includes only one community member in a five-person review board (two of seven for serious cases), and may recommend disciplinary action to the Chief. Thirteen cases were covered, including one where an officer “disobeyed a direct order to leave a location,” but agreed to take one day off without pay and bypass the PRB as “stipulated discipline.” The reviews of shootings where Koben Henriksen died and Gray Stockton was not injured both ignore that they were in mental health crisis (p. 1). However, as Portland Copwatch pointed out in its “scoop” analysis (published before media reports), the documents reveal Chief Chuck Lovell overrode the Board’s findings in two protest cases and found officers misused force. The US Department of Justice (DOJ) had called out both cases in its critique of the PRB. Below is info on the 10 non-shooting cases in the Report.

—Detective Jeff Myers, whom Portland Copwatch called out many years ago for starting a “dirty thirty” list of people arrested multiple times and destroying a community garden used by houseless people (PPR #31), retired before being given a week off without pay for making derogatory comments about a transgender community member while talking to recruits. An October 30 Oregonian article reveals Myers referred to a trans person as “it,” which the PRB simply said was a “term not normally used to refer to people.” Myers also said something about his substantial salary and how if people were going to be cut from the Bureau, the recruits would be the first to go. The Board voted to suspend the first allegation as a violation of the Discrimination policy and the second as a violation of Conduct on 5-0 votes.

—During a June, 2020 protest, officers tried to take two people into custody. They “fled” toward the general direction of the Justice Center. Officer #1 fired a “less lethal” round at one person, which may have missed its target. Four Board members found the allegation about using force when the person was not engaged in active aggression should be “Not Sustained with a Debriefing,” meaning there was not enough evidence to prove or disprove the allegation. The Board said because of the “unprecedented” ongoing protests and the “attempts to harm police,” the force was a justifiable effort (continued on p. 4)

New Commission to Design New Oversight Board Holds First Meeting by Philip C.

On December 9, 13 months after Portland voters approved ballot measure 26-217 by 82% to create a new police oversight board (PPR #83), the Police Accountability Commission (PAC) held its first official public meeting. The Commissioners met to discuss procedures and organizational structure. Sue Diciple, the facilitator chosen by the city, introduced City Attorney Jennifer Johnston, who presented on public records requests and related responsibilities.

The facilitator and staff presented slides for suggested rules and formats for the Commission’s feedback and approval. Prior to the meeting, the Commissioners met one-on-one with city staff Sameer Kanal to discuss their interests and visions for the Commission. Out of these meetings, staff created an organizational format, though the group had not yet met to discuss their ideas. From the public’s perspective of not being able to see all of the Commissioners or the number of people in attendance, it seemed the facilitator often, instead of seeking an affirmative agreement, asked if anyone disagreed. If no one spoke up, she accepted the proposal as approved and moved on.

Forming a new group can be difficult because rules and by-laws haven’t been created. This meeting appeared to be dictated by the facilitator, as opposed to the PAC, and the agenda (created by city staff) seemed to discourage Commissioners from discussing agenda items, either due to time constraints or because the city staff didn’t want to edit what they produced. For example, Comm. Dan Handelman (with Portland Copwatch) proposed all PAC meetings be public and the community be allowed to make comments. Instead of responding, the facilitator sought approval for the current agenda item unchanged from the way the city had created it. She asked if anyone disagreed, and since no one responded, approved it as-is.

Near the end of the meeting, which ran over time, the facilitator and staff began flipping through complicated slides. For many Commissioners, this was the first time they were seeing the slides. In the meeting chat dialog, it was revealed the presentation had not been received by all of the Commissioners before the meeting. The staff expected the PAC to choose an organizational structure on the spot before everyone had been able to review the options. Rather than push, the Commissioners decided to finish discussing their organizational structure at a December 18 meeting.

Visit portland.gov/police-accountability for more Commission information.

CRC Discusses Body Cameras and Other Issues (continued from p. 2)

In October, a Gresham Police Captain attended and talked about their program, which began in early 2020. They also confirmed use of force was not down due to the cameras, stating newer studies don’t show a link between the two issues. As a reminder, PCW has a neutral stance on the cameras since they might occasionally help hold officers accountable, but without proper regulation might be used to prosecute and spy on community members.

Contact IPR at 503-823-0146
Three major stories about the policing of Portland’s houseless community arose recently. City Council approved an extension of downtown’s “Clean and Safe” (C&S) program in September, and agreed to expand the Fire Bureau’s Portland Street Response (PSR) program in November. Also, it was shown some neighborhoods helped drive more camp sweeps than others.

On September 29, Council approved a new $33 million 5-year contract with Downtown Clean & Safe (C&S). Clean & Safe is the non-profit managed mostly by Portland Business Alliance. C&S is tasked with security and cleaning of “enhanced service districts” and hires contractors to do the work. A recent city audit found many problems with C&S including lack of transparency, lack of oversight, and an opaque or non-existent complaint process. During Council testimony, many community members testified that C&S security were often rough with houseless people and lacked de-escalation skills. Special business taxes pay for C&S as well as four dedicated police officers.

The new contract includes a few changes. It requires security guards to hand out business cards, creates a complaint process, and establishes a mental health team. Commissioner Hardesty was the lone “No” vote asking, “Should people with more money be able to buy more access to justice?” (Oregonlive, September 27).

During the fall budget cycle (p. 1), Council approved the PSR pilot project for city-wide expansion. The roll-out is expected in spring 2022. PSR responds to 911 and non-emergency calls that are non-life threatening and are related to mental health or houselessness, PSR started with weekday shifts in the Lents neighborhood, but has since expanded to 36 square miles in East and Southeast Portland and a Thursday-Sunday night shift. The spring 2022 expansion will create more PSR teams but will not yet be 24/7 coverage. It will still have restrictions such as not allowing PSR teams to intervene in suicide calls or interact with the public inside private residences. In May, the City Council voted against the city-wide expansion of PSR in the 2021-22 budget when Mayor Wheeler and Commissioners Mapps and Ryan said they wanted to wait until they saw a report on the PSR’s effectiveness. Now that the 6-month report is out, with glowing reviews, Council included the city-wide expansion. While Council has also approved more funding and the hiring of more police, we have yet to see a report on the quality and effectiveness of the Portland Police to justify the expansion of the Police Bureau.

Meanwhile, The Oregonian revealed that 29% of complaints to the city’s hotline came from just two neighborhoods, Laurelhurst and Foster-Powell, leading to targeted sweeps in those areas, though the city denied the volume of calls dictated the “clean-ups” (September 24).

To “contain criminal acts” — a strange commentary if they believed there wasn’t enough evidence. The other three Board members wanted to sustain the allegation, noting the people were unarmed, posed no direct threat and were about half a mile away from the Justice Center. The cover memo says Chief Lovell imposed a Letter of Reprimand on the officer, therefore he must have agreed with the minority’s proposed finding.

—At an August 2020 protest, the Rapid Response Team confronted protestors outside the Portland Police Association’s then-headquarters in North Portland. An officer fired a “less lethal” round and hit the wrong person, apparently in the arm. Four Board members found the officer’s action within policy (Exonerated) but wanted to add a debriefing about readjusting their aim to hit the right person. They emphasized that the intended subject was “aggressive” because they had thrown eggs at police. One person recommended “Not Sustained with a Debrief.”

Two people thought the allegations should have been Sustained, noting the person who was hit was at worst passively resisting and not posing a threat. They made the important observation that hitting a person who legally should not be subjected to force is not allowed since the policy doesn’t address officer intent. Chief Lovell must have agreed with these two, as he imposed a Letter of Reprimand on the officer.

—In a third protest case (date unknown), an officer pulled down a protester’s gas mask to spray them with a chemical irritant. Six PRB members heard this case, rather than five or seven. Five thought the officer acted reasonably based on the circumstances. They said the civilian engaged in active resistance by not obeying the officer, pushing at them and grabbing their baton. While pulling off a gas mask is not part of police training, they claim it prevented the need for a higher level of force. It’s alarming they paid no attention to these protests occurring in the middle of a pandemic that attacks the respiratory system. The other member said it should be “Not Sustained” because the officer wasn’t trained to take the gas mask off, but it was a reasonable way to be sure the pepper spray would work. Deputy Chief Davis agreed with the Exonerated finding.

—An officer witnessed another officer pour out a soda onto the passenger seat during a warrant-related vehicle search. The offending officer claimed it was an accident and they put the cup back in the cupholder, but that was disproven by evidence. Four of five PRB members voted to find that the pouring of soda violated the Laws, Rules and Orders and Conduct Directives, and that the officer was untruthful during the administrative investigation by claiming the action was unintentional. Untruthfulness is supposed to lead to firing the officer. Deputy Chief Davis changed both findings to Not Sustained with a Debrief; the Report does not explain why.

The other five incidents involved: “Officer #1” who got into a “verbal disturbance” with a civilian and fellow cop (two weeks off without pay); an officer who crashed into another cop car when sort-of chasing a suspect (one day off without pay); a cop who failed to report throwing a bicycle to the ground (Letter of Reprimand); an officer who failed to write a Domestic Violence report (Command Counseling), and an officer who interjected themselves into a civil commitment hearing involving someone who confronted their spouse (no misconduct found).

Overall, the Board reviewed 28 allegations and found 10 Sustained (Davis reversed two of these), 13 Exonerated/In Policy (Lovell Sustained one), and five Not Sustained (again, Lovell Sustained one). This is a relatively low rate, since most cases are sent to the Board in the first place because either the officer’s commander or another reviewing body thinks there should be a Sustained finding.

As usual, multiple cases (five this time) in which civilians were involved, including the shootings, were handled as “B” (Bureau-only) cases. This strips community members of the ability to file an appeal. City Code guiding the “Independent” Police Review process says cases involving community members should be treated as “C” cases.

The Bureau still does not include the genders of any of the people involved. Precinct information, or other locations with few exceptions. While it is important that the public keep receiving this information, the Bureau should be more generous in doling out details, given the ability of officers to abridge liberties, use violence, and take lives.
COMMUNITY ORGANIZERS LAY GROUNDWORK FOR PUBLIC TESTIMONY ON TERROR TASK FORCE

A CLU Law Suit Confirms Anti-Spying Law Against Police Collecting Info on Activists

When Portland City Council voted to withdraw its two officers from part-time work with the FBI’s Joint Terrorism Task Force (JTF) in 2019, they also put in place a requirement for annual reports about those “case-by-case” instances of cooperation (PPR #78). However, because Mayor Ted Wheeler previously decided Council would not take public testimony on Reports, the community has used alternative means to be heard. A new annual JTF report is required to be produced and heard at Council by the end of January. Anticipating another shut-out, community organizers from five groups testified during three minute “Communications” slots in November, resulting in a victory. The Mayor agreed to open Reports back up for testimony. Meanwhile, the ACLU of Oregon won a lawsuit in September which found the police violated Oregon’s anti-spying statute by livestreaming video during last year’s racial justice protests.

At issue is ORS 181A.250, the law which says police cannot collect or maintain information on people’s social, political or religious affiliations without reasonable suspicion of criminal conduct.

This statute was cited by organizers who pushed for the City to get out of the JTF (both in 2005 and 2019). The judge overseeing the lawsuit didn’t buy the City’s argument that livestreaming isn’t “collecting information” the same way the old “Red Squad” once gathered paper files on “subversives.” It was pointed out in court that anyone could have recorded the livestream. One plaintiff said they were not expecting to have the government post their protest activities and location for the whole world during the George Floyd uprising (Oregonian, September 20). In a related note, several groups involved in the JTF campaign wrote a letter to Council in October asking that when the City creates its policy on body cameras (p. 1), it should explicitly refer to the statute and prohibit unlawful collection of data.

On November 17, representatives from the League of Women Voters, Portland Copwatch (PCW), Portland JACL (Japanese American Citizens League), Jewish Voice for Peace-Portland (JVP), and Portland Metro People’s Coalition (PMPC) addressed aspects of the policy problems with the Mayor’s testimony ban. The League’s Debbie Aiona pointed to past use of Reports as examples of open and transparent government. Portland Copwatch member Dan Handelman noted how the contractors compiling the first Report on Portland Police Bureau shootings in 2003 cited PCW as a source for incidents the Bureau did not have in its records. The JACL’s Marleen Wallingford discussed the importance of being able to speak about the PPB’s annual JTF reports, given the FBI’s history of targeting vulnerable populations based on race and beliefs. Carol Landsman of JVP called for public participation, recalling her group was not allowed to talk about City contracts with implications in the Israeli occupation of Palestine. PMPC member Emory Mort spoke about the inadequacy of the Bureau-wide annual report (PPR #84) and how a year of uprisings led to no specific policy proposals in that report, partially because the public wasn’t invited to counter the PPB’s narrative at Council.

The Mayor made it clear he didn’t think public input is necessary because Reports aren’t binding policy. Commissioner Hardesty chimed in to say public input had been important to her as an activist on “the other side of the table.” Commissioner Rubio agreed and Commissioner Ryan nodded his head. The Mayor, having already said he wasn’t going to “die on this hill,” changed his mind on the spot and declared all Reports will now include public testimony. (continued on p. 11)
who initially used less-lethal weapons to try getting him out. After an officer standing behind a wall was hit by a bullet in the hip, the police returned live fire (Oregonian, August 28). Portland Copwatch has long raised questions about police interactions with other agencies, particularly federal ones who may not follow local standards. The DEA is doing their own investigation. Though two officers fired their weapons, only one bullet was responsible for Tadros’ death (PPB news release, August 29).

Andreas Boinay: Second Car Chase for Same Suspect, Second Wounded Truck Thief

In November 2020, police chased Boinay in a stolen vehicle, which hit a utility pole and caused a fire (KOIN-6TV, November 28, 2020). What are the odds of the same person stealing two different vehicles, being chased by the police and taken into custody twice within a year? Notably, in 2021 Boinay allegedly stole a pickup truck, the same kind of vehicle police said Darren Carr stole before they shot and wounded him in May (PPR #84). The cops say Boinay drove the truck over the state line into Washington and back, finally getting trapped on NW Ash Street at a dead end in the early morning (Oregonlive, Sept. 12).

Joshua Degeness: Details Just Emerging on Man Wounded at Traffic Stop

The police say they tried to conduct a traffic stop, then chased Degeness in Lents late on December 11. Sgt. Norman Staples (#43528) and Officer Kenneth Jackson (#50090) shot Degeness and brought him into custody—and the hospital—after a standoff. Media described the car as “bullet-riddled” and say the police found a gun which Degeness admits to firing at them (Oregonlive, December 12 & 17).

Delgado and Townsend Cops Cleared

The community has long called to have someone other than the Multnomah County District Attorney lead grand juries to avoid the conflict which comes from their dependence on Portland Police to prosecute day-to-day crimes. However, bringing in the state did not change the outcome in the Delgado case. There has not been an indictment for an officer killing a suspect in Portland in over 50 years. The state led an investigation in Klamath County in 2018 (PPR #76), which also led to no criminal charges. The DA released the transcripts, which indicate Officer Zachary Delong claims because he was behind a tree and 90 feet from Delgado, he was unable to see the gun Delgado was holding was a replica with an orange tip (Willamette Week, November 17). Nobody has brought the TV interview Delong did about serving in the military and wanting to be a sniper.

The Townsend grand jury transcripts reveal the firefighters and officers who responded to the man’s suicidal call were ready to leave because he would not let them search him for weapons so he could be transported to a hospital (Oregonlive, November 15). The story goes that as they were leaving, Officer Curtis Brown backed up but could not go any further when Townsend allegedly threatened him with a sharp object.

Both victims were known to have mental health issues. Officer Delong was trained as an Enhanced Crisis Intervention officer, to de-escalate such situations, but when Delgado responded negatively, the officer began shouting orders and cursing at him. Profanity, by the way, not only escalates situations but is also generally prohibited by PPB policy; it will be interesting to see if the administrative investigation leads to a misconduct finding on that issue. No special attention was given to either of these shootings by the US Department of Justice, despite their finding in 2012 that police use too much force against people in mental health crisis, which has led to a now nine-year process supposedly limiting such use of force (p. 1).

No Policy Violations in Henrikson, Stockton Shootings

The Police Review Board (PRB), made up of four police personnel, a staff person from the “Independent” Police Review, one civilian from a pool of about 15 and a member of the Citizen Review Committee, unanimously found the officers who killed Koben Henriksen (Justin Raphael) and shot at but missed Grey Stockton (Laurent Bonczijk) violated no Bureau policies. One person suggested debriefing an officer who fired at Henriksen without announcing it was a “less lethal” round. Raphael claimed he tried to de-escalate the situation where Henriksen was holding two knives. The PRB didn’t ask how that was possible as he fired his weapon seconds after arriving. When Stockton was found hiding in a closet with a fake gun, Bonczijk fired, then officers sent in a robot to be sure he wasn’t a threat. For some reason, the PRB recommended the Bureau look into buying drones in response to the situation, which took place inside a home.

State Deadly Force Incidents Taper Off in Second Half of 2021

Oregon Officers “Only” Involved in Nine Incidents Since Late August

Faint praise to law enforcement in Oregon: they seem to have been involved in fewer deadly force incidents in the last four months on average than in the first eight months of the year. In People’s Police Report #84, we reported there had been 25 shootings by week 32, or three every four weeks. Since then, we have only identified nine more incidents in the following 18 weeks, about two-thirds as many per week, bringing the total to 34. The largest number PCW has tracked in any year since 2010 was 37. A whopping four of the new incidents involved Portland Police (p. 1). Here are the other five:

—On November 22, Gladstone Police Sgt. Travis Hill and Officer Clement Yau were taking Yvette Larees Garcia, 36, to jail when she asked them to stop her house to check on her dogs. For some reason, they agreed, and she allegedly went into the home and came out shooting a handgun at them, hiding Hill in the leg. Both cops fired back, wounding Garcia (OPB, November 24).

—On October 4, an unidentified Molalla Police officer fired their weapon but missed Brian Scott Mills when Mills shot multiple times from his house at officers responding to a medical call (KOIN-6TV, October 4).

—On September 27, Clackamas County Sheriff’s Deputy Jansen Bento killed Nathan T. Honeycutt, 26, after deputies chased him in a truck and then on foot in Happy Valley. Honeycutt supposedly would not drop a gun when ordered to do so (Oregonlive, October 25).

—On September 6, Lane County Sheriff’s Deputy Zachary LaFoca shot from an armored vehicle and killed Robert Gutierrez, 59, near Springfield, after responding to a domestic dispute call involving Gutierrez firing a gun (Eugene Register Guard, September 24).

—On September 1, Lincoln County Sheriff’s Deputy Zachary Akin shot and wounded Kevan Rower, 59, when he was pointing a gun at houses (and, allegedly, police) in South Beach (Newport News Times, September 17).

Also, Clackamas County Deputies chased shoplifting suspect Anthony Lucero’s car, leading Lucero to crash into and fatally injure Kris Nickelson, 54, on September 16. The Sheriff then put out a memo telling deputies not to initiate car chases over minor crimes (Oregonlive, September 22).
T he community volunteers on the Bureau’s Training Advisory Council (TAC) held meetings in September and December, discussing use of force at both meetings along with a variety of programs. Force data from three quarters were all presented at the first meeting, with no discussion of why 24-30% of force is used against African Americans in a city which is 6% Black. There was a slightly deep dive into force trends in the second meeting, which revealed sometimes officers use a lot of force at a small number of incidents. There were also new staff members to take the Captain and Lieutenant’s jobs, continuing the revolving door at the Training Division (PPR #83).

Force Inspector Lt. Chris Lindsey walked through the three Force Reports, once again lingering on some details but skipping over the racial demographics. Unfortunately, considering that the TAC fought to get the Bureau to add population data in the Reports (and lost, twice—PPRs #75 & #79), none of the members raised questions about disproportionate use of violence. It’s almost as if the uprisings of 2020 never happened. Lindsey did point out that how often officers use force when taking people into custody has gone up dramatically (p. 1), but had no firm answer as to why. He noted an increase in force against “transient” — 101 of 213 people subjected to force. But Lindsey also reported the group that these data include: people who were simply don’t give police an address — so they’re not necessarily all houseless people.

At the November meeting, a PBP analyst attempted to answer TAC’s question about why the raw numbers of force use were going up, speculating much of it may have to do with officers taken off patrol to work at the protests. The new numbers are actually comparable to 2018 and 2019, she said. Notably, these data are from regular officer interactions with the community, since protest force data are separated out. Most alarming was the information that 38 of 63 times when strikes and kicks were used in the second quarter of 2021 occurred during just four incidents—an average of almost 10 strikes/kicks per situation. Similarly, 14 of 34 Taser uses came from two incidents, which is an average of seven times each, while it’s considered extreme force if Tasers are used more than three times. This last issue wasn’t discussed by the Council.

Among the programs TAC reviewed were plans for a Restorative Justice program, where people who are arrested can avoid jail by taking responsibility, discussing the impact their actions have on others and doing some kind of community service. If this is all on the post-arrest end of things, it’s not clear why the police have to be involved at all.

They also talked about the new Active Bystander for Law Enforcement training (PPR #84), which encourages cops to stop and/or report on other officers who are acting improperly. One TAC member who observed the training talked about how an officer in Seattle gently pushed another officer’s knee off of a community member’s neck during a protest, which is an encouraging sign maybe?

In November, Officer Leo Harris talked about the Officer Wellness program, which is gaining popularity among the cops. He thanked TAC for helping push for the concept of letting officers focus on fitness, diet and emotions and do self-care by meditating, doing yoga and other actions. Harris also specifically thanked Portland Copwatch for our comments on the Wellness Directive (p. 11), which he said made it a better policy.

The TAC still participates in the Coalition of Advisory Groups (CAG), which brings together bodies like the Latino Round Table and African American Advisory Council. TAC member Jim Kahan stated twice that the CAG was not up to date in publishing notes from their meetings, which Portland Copwatch (PCW) finds troubling for a bunch of people supposedly representing the community to advise the Chief. In terms of turnover and other changes, in November, Captain Chris Gjovik introduced himself as having taken over for David Abrahamson, making him the fifth Captain in five years. PCW member Dan Handelman pointed out Gjovik was among the officers who shot and killed Willie Grigsby, a young Black man, in 2004 (PPR #34). For now, acting Lieutenant Jason Jones has taken over for Greg Stewart. Jones was featured in a 2016 Willamette Week article being compassionate with houseless people, so maybe he will bring that attitude to the Training Division. While not a change in status at TAC, Chair Shawn Campbell revealed during a City Council meeting in September that he has been hired to manage the “Clean and Safe” contract allowing businesses to pay special taxes and hire their own security (and four police officers—p. 4). For now there seems to be no concern Campbell is a City employee and TAC volunteer.

More Force Data Without Discussion of Race at Training Advisory Council Community Restorative Justice and Officer Intervention, Wellness Discussed

SHERIFF HEADS INTO LAST 12 MONTHS WITH COVID VAX CARD SCANDAL, “UNION” UPRISING

MCSO: The Next Generation

As Sheriff (and former Portland Police Chief) Mike Reese heads into the last year of his term, a few people have declared their intention to fill his seat when he is time-limited out. Voters in May 2022 will have at least two candidates, Undersheriff Nicole Morrissey O’Donnell, and Captain Derrick Peterson to choose from in an election which usually is uncontested to head the Multnomah County Sheriff’s Office (MCSO). They’re each quoted in an online Portland Tribune article from September 13. Morrissey, the first woman appointed as Undersheriff, talks about involving the community to solve problems, and Peterson, head of the local National Organization of Black Law Enforcement Executives chapter, talks about criminal justice reform. PCW hopes to conduct a candidate questionnaire for the community to hear about these folks’ positions on accountability issues. If you are not on our email list, check back to our website in mid-April for the results.

Deputy Steals Vaccination Cards, But Oregon Cops Get a Pass Anyway

In October, Corrections Deputy Robert Haney was charged with official misconduct and theft for allegedly taking at least two COVID vaccination cards which investigators found at the Deputy’s home. An October 27 Portland Tribune article pointed out Haney did not have to take a card for himself to stay employed, since a state statute says law enforcement officers are exempt from vaccine mandates. Sheriff Reese declared he was “very disappointed,” noting “our profession’s credibility is damaged when any member engages in illegal actions or misconduct.” Haney cut a deal in December to admit to official misconduct but not theft, resign, give up his certification, serve six months probation, and pay a $500 fine (OPB, December 21).

Bargaining Unit Votes No Confidence in Reese’s Hiring Czar

In late August, the Multnomah County Corrections Deputies Association took a vote of no confidence against the MCSO employee who is in charge of hiring new recruits. Complaining about 12 hour shifts, which includes mandated overtime, they say fellow officers are leaving due to what they claim is already low staffing numbers (Portland Tribune, September 8). This sounds a lot like the complaints by the Portland Police Association (PPA), but it raises a question: if our society continues to keep people locked in jails, is it making matters worse for the prisoners if there are not enough people to staff those jails? The deputies claim the incarcerated people are unable to be let out to walk, watch TV or even take showers. [8]
Compliance Officer Finds Two More Areas Where Police Failed to Comply with Agreement

Because the police did not update their annual training plan to address Crowd Control or deliver training around managing protests, the COCL moved Paragraphs 79 and 84 to partial compliance, meaning at least 19 paragraphs out of about 90 actionable ones are now out of compliance. The City had been found in full compliance in January 2020 (PPR #80) but has to maintain compliance for a full year before the DOJ pulls up its tent stakes and leaves.

The COCL highlighted the concerning trend that force was previously used in just over 3% of police custodies, but that number has now grown to over 76%. However, as has been the case for most of the seven years these Reports have been issued, no mention was made about the use of deadly force against people in mental health crisis. The second quarter included three shootings, two of them fatal killings of people in crisis. Unless deadly force gets as much scrutiny as lower levels of force, such tragedies will continue.

The consultants pushed back against members of the Police Bureau who want to have officers leave their Tasers in patrol cars, which would change the current mandate that all cops carry the less-lethal weapons. In addition, though the COCL doesn’t seem concerned about it, eight of 31 people with mental illness zapped with Tasers in Q2 (20%) were unarmed. While debriefing a scenario where cops could choose guns or Tasers, an instructor told officers that Tasers “require a lot of paperwork.” Because officers who use deadly force are not required to fill out their own reports (Paragraph 69c), this gives an incentive to use lethal weapons. There clearly is a lot more work to do.

BHU Advisory Committee Encouraged by DOJ Comment to Examine Deadly Force

At the BHUAC’s October public meeting, Portland Copwatch member Dan Handelman, for the third time, asked them to discuss deadly force incidents at their regular business meetings, BHUAC chair Janie Gullickson stated those incidents were not in their purview. Local DOJ attorney Jared Hager asked her who had told them that, and Gullickson backed down, admitting it was just her feeling about it. Handelman noted the Police Review Board only looks at incidents to see whether officers followed policy and training, with barely a mention of mental health, so it is up to BHUAC to apply that lens on behalf of the community. Gullickson indicated they may start looking at shootings of people in mental health crisis in the future. While encouraging, this discussion could have happened in 2013 when the BHUAC first started up had they held open meetings like the other advisory groups mentioned in the Agreement.

For the complete Portland Copwatch analysis of the COCL Report, see <portlandcopwatch.org/COCLanalysisPCW0821.html>.
A side from three highly publicized sets of demonstrations between late August and mid-November, most of the news about police and protests over the last few months has been about policy issues and payouts for damage done. A series of lawsuits around police trying to hide public records and livestreaming protests (p. 5) were decided in the community’s favor. Settlements were announced for four incidents that occurred between 2018 and 2020, totalling over $300,000. The Portland Police Bureau (PPB)’s response to protests also produced some announcements about criminal cases against cops being dropped, and a set of recommendations on policy and training from the Citizen Review Committee headed to City Council (p. 2). Of the recent visible protest responses, one generating controversy was where police decided not to intervene when antifascists confronted right-wing ralliers, which led to guns being fired downtown on August 22. A November 19 demonstration against the verdict finding Kyle Rittenhouse not guilty for shooting three protestors in Wisconsin was met by violence from the Multnomah County Sheriff’s office.

The policy wins for the community resulted from lawsuits filed by Alan Kessler, an attorney focused on transparency. Kessler had tried to get the names of officers who were only wearing identification numbers which weren’t related to their “badge numbers” after the PPB gave a blanket ok not to follow its directive on wearing nametags early during the 2020 protests. The Bureau claimed it was to protect officers from being “doxxed,” or having their personal information researched and posted online. However, Kessler won easily by relaying to the judge that when he asked to identify officers by the ID numbers, the City said he had to know their names to get that information. The Judge wrote a “scathing decision” against the City and ordered the names be released (Oregonian, October 22). Among those named — already suspected but now confirmed — were Officer Brent Taylor and Detective Erik Kammerer. Kessler also won a suit requiring that when text messages between officers are disclosed to the public, their phone numbers must be included (Willamette Week, November 17).

Taylor was also in the news because the District Attorney’s office decided not to pursue criminal charges against him for shooting Erica Christiansen at point blank range with a “less-lethal” munition at a protest in August 2020. The DA also stopped looking into Officer Thomas Clark for slamming Tyler Cox’s head into the pavement later that month (Oregonian, September 5). However, Kammerer is still being investigated by the state (PPR #84).

At the Rittenhouse protest, employees of the Sheriff’s office (who may or may not have been Deputies trained in crowd control) launched tear gas and other less lethal weapons at protestors banging on the garage door that leads to the downtown Justice Center jail.

To be clear, the City admits no wrongdoing in the payments made for police excessive use of force, and no discipline is necessarily tied to the settlements. On September 8, City Council awarded $50,000 to Michelle Fawcett, one of two people hit by less-lethal weapons and seriously wounded at a counter-demonstration against neo-fascists in August 2018. On December 1, Council awarded Aaron Cantu $125,000 for the incident where an officer fired a round into the back of his head, avoiding killing him only because he was wearing a helmet (PPR #87). That same day, they agreed to give Dajah Beck $25,000 for an unspecific “bodily injury” she suffered during a protest outside the Portland Police Association headquarters in September 2020 (location from KPTV-12, September 29, 2020). Lydia Fuller agreed to a settlement of $22,500 (still pending) for an officer firing a “less lethal” weapon at her chest when she turned around while trying to leave a protest in June 2020. In that case, the City tried to get her to drop the suit because she couldn’t say for sure it was Portland Police who fired the round (Willamette Week, October 27). On December 22, Council voted to give $100,000 to Dmitri Stoyanoff. In September, 2020, police grabbed his “register to vote” sign, saying it was a potential weapon, pepper sprayed and kicked him.

During the discussion at Council awarding Fawcett’s payment, Mayor Wheeler declared he had changed his mind about the decision to have police stay back while the alt-right and antifascists brawled in the streets on August 22. Fighting took the form of “fireworks exploding, pepper spray and projectiles filling the air” including those from paintball and airsoft guns (Portland Tribune, August 25). Officers had been told not to take vacation so they could be “all hands on deck” to respond to the expected conflicts that day, yet never intervened, even when two people apparently shot at each other with live rounds downtown shortly after the East Portland incident. Wheeler had originally defended the strategy, but admitted the people who live in the East Portland neighborhood where police had urged the right-wingers to protest were upset about the violent conflict in their streets. As if to emphasize how far away they were from the action, about a week afterward Portland Police asked members of the community and the media to identify people who were involved in criminal activity (Oregonian, September 3).

Meanwhile, the Federal government is being taken to task for keeping files on protestors who were arrested. A report about the Department of Homeland Security’s intrusive intelligence gathering noted the people were arrested for “trivial infractions having little or no connection to domestic terrorism” (Oregonian, October 2).

### Council Votes to “Re-fund” the Police (continued from p. 1)

conducted polls without nuance (“do you support body cameras yes or no?”) and ran ads pushing their agenda to bolster the police. One such television ad deliberately pitted Commissioner Mingus Mapps, an African American man, against Commissioner Jo Ann Hardesty, a Black woman, saying Mapps supports public safety but Hardesty does not.

One key point of contention is the Bureau’s plan to re-activate the “retire/rehire program,” where cops who decide to leave and take their pensions can come back to work and collect a salary as well. At least two officers involved in this program committed high profile acts of misconduct—one made racially offensive remarks after the death of Quanice Hayes in 2017 (PPR #77) and another used his car for personal travel (PPR #80). The men on the council (Mapps, Commissioner Dan Ryan and Mayor Ted Wheeler) had the votes to undo the work of the female majority last year (Hardesty and now-former Commissioners Amanda Fritz and Chloe Eudaly). Sensing she would not be able to end the program, Hardesty put forward an amendment saying the officers could not have sustained complaints against them or have retired while they were being investigated for misconduct. The amendment passed, but the program will cost about $400,000 to implement. Other new funds were allotted to boost PPB recruitment and training staff, totalling about another $1 million.
that Public Safety should be a top priority), and the Associated Press (October 19, with a quote from a family member asking to “unite the hands” of the police). There are also reposts from the Bureau dated Sept. 30 (900th shooting), Oct. 25 (95 shell casings found at 19 shootings) and Nov. 2 (bullet hit head) in car). Another story from KATU (September 22) highlighted a fourth-grade girl who spoke to City Council about running for her life from gunfire, which the PPA underscored by asking people to read the headline a second time.

But other types of crime also caught the attention of the police rank-and-file. Another Associated Press article (from October 31) focuses on how Portland has lost its reputation not only because of the homicides but also due to “destructive protests,” and a homeless “crisis.” The PPA highlights parts of a November 1 story from KOB in which Old Town organizations called for a 30-day plan to address housed and houseless people’s fear that “drug abuse, mental health breakdowns and widespread gun ownership [will] result in a catastrophic situation.”

The PPA published their own survey on August 17 showing the majority of their members have low morale, feeling unappreciated by City Hall, and many saying they would take a job somewhere else for less pay. With one commenter saying their job amounts to “moving the transients around and letting the criminals go free,” the survey results show 90% of cops believe the District Attorney doesn’t “pursue justice.”

The media then helps PPA connect the non-provable dots between crime and the lowest number of Portland Police being employed in over 20 years. KPTV*3 covered the PPA survey on August 18, quoting Turner saying the elected officials’ political agenda drives a false narrative about police. Of course, the PPA doesn’t have an agenda. KPTV also ran a story on August 19 quoting the Bureau’s spokesperson, Lt. Greg Pashley, who by rank cannot be a member of the PPA. In an apparent political statement, Pashley says current limited police response to crime justifies demands for a larger budget. On October 10, Turner told KATU the Bureau is “running on fumes” and connected the violent crime rate to budget cuts.

Around the same time, KATU ran a story implying the Bureau needs twice as many officers, allowing Turner to take another swipe at politicians and their “agendas.” The whole news story (from August 18) includes a quote from Commissioner Jo Ann Hardesty saying that having officers on every street corner would not have prevented the shooting death of an 18-year-old downtown. They followed up on September 2 with a story where the PPA highlighted that 150 officers left the Bureau after August 2020 with 80 set to retire in 2022; the “agenda” quote appears yet again as Turner claims we’re running a “Cadillac on a Volkswagen engine.”

Out-of-towners jumping on the bandwagon include the Washington Times, which cites the PPA’s statistics about the population of Portland going up, the number of officers going down, and the budget being cut from $238 million to $222 million (August 21). A Yahoo news story from Fox News (November 9) talks about the police shortage, record number of homicides, and, as PPA highlights, that the city is “dealing with a public safety crisis.” Dan Abrams, a commentator with his own show on NewsNation, interviewed Turner (posted by PPA on October 19) saying the staffing level is the lowest of all cities with over 250,000 people, with no mention of the comparative crime rates. Despite the rampant gun violence, Portland’s overall crime rate is still lower than most other cities. In contrast, an Oregonian story from November 8, which quotes a PSU professor saying the City might have to hire 800 more officers, also says people should not look just at the raw numbers. The PPA highlighted the first quote but not the second.

There are also several opinion pieces pushing for more re-funding of police, including a September 20 Oregonian editorial, an op-ed from the next day by Commissioner Mingus Mapps, a September 22 letter calling for more 911 operators (PPA also represents those workers), and another op-ed comparing today’s staffing levels to those of 1967 (October 17).

Then there are PPA’s own posts, pushing their “ProtectPortland.org,” website asking for Public Safety over politics (August 19). The posts say the connection between a lack of police and increased gun violence is “glaringly obvious” (September 23), laying out a five-year plan for more officers (October 8), and calling Mayor Wheeler’s proposal to invest in public safety during the fall budget cycle a “step in the right direction” (PPAvigil.org, November 3).

Interestingly, the PPA makes no reference at all to the People for Portland political action committee, which was during this time running its own well-funded campaign to push for more police using similar rhetoric. It may be that the PPA is one of the anonymous contributors to that cause and they were trying to distance themselves from the PAC... but that’s just speculation.

PPA Special Focus on Protests

The Association still enjoys sideling protesters while pretending to be even-handed. On August 20, as a planned neo-fascist protest was gearing up, the PPA wrote that if people were coming to “insistate,” they should stay home and stop giving Portland a bad name. America, they say, is characterized by liberty and freedom and police have a role to support free speech. They claim to respond to criminal behavior, not to ideologies, even though it has consistently been leftists/anti-fascists who bear the brunt of PPB violence, not right-wing white supremacists. As a button to this article, they ask people to sign the petition to Protect Portland, implying problems would be solved by adding more cops. As it turned out, the Police stayed away from the protests, allowing armed people to wander the streets, even though officers were kept from going on vacation in order to staff the event (p. 9).

On October 14, after people protested the lack of prosecution in the two years since activist Sean Kealiher was deliberately killed by a driver, the “union” reposted a Police Bureau article: “Anarchists damage businesses downtown.” They don’t seem to have asked the people who damaged property about their political philosophies. Chief Lovell referred to “brazen criminal acts” which targeted 35 “banks, retail stores, coffee shops and government buildings.” He did not address why police haven’t identified Kealiher’s killer, who left their car behind at the crime scene. On November 21, the PPA decried Portland’s protest against the Kyle Rittenhouse verdict as “small riotous mobs bent on destruction.”

The abovementioned interview with Daryl Turner on Dan Abrams’ show also touched on protests. Turner (falsely) claimed new state law HB 2928 “limits de-escalation in crowd control.” The law outlaws the use of chemical weapons, impact weapons and audio projection devices in most circumstances. One could only interpret the use of these as “de-escalation” if officers first used a higher level of force, then resorted to these dangerous devices. Turner claims without pepper spray and “less lethals,” the only choices are going hands-on or using deadly force. He claims the legislature had no input from law enforcement, which is also untrue. Abrams chimes in sarcastically “why talk to the police if you are defunding them?”

*3- For those not from Portland, KPTV is the local Fox affiliate.
Minor Miracle on (Non-Community Interactive) Policy: For Once, Bureau Agrees with Copwatch Comments Response on Wellness Dissimilar to Profiling, Conduct, Weapons, Spying, Towing Directives

When sending them in, Portland Copwatch (PCW) noted our October comments on the Bureau’s Directive (policy) about Officer Wellness were very short, mostly because the Bureau took action on all three comments we made in July. It is uncommon for the police to be responsive to PCW’s input—rarely on policy issues, sometimes on typographical ones, almost never on deeper issues about why police are given so much authority to bring harm to community members without consequences. Our group has continued to comment on Directives rather than leave the officers to perpetuate their world outlook unchecked. Here are some of the policies PCW commented on since the last issue.

August: In one of the rare adoptions of our comments, the profiling (“Bias-Based Policing”) Directive contained two insertions of language to be clear targeting someone in part because of their race can be as bad as doing it only for that reason. They changed the word “solely” to “solely or primarily” in two places, while PCW pointed out at least one other similar edit which still needs to be made. The changes, we noted, now match language which already exists in the Discrimination Directive, on which we also commented in August. The Bureau still did not adopt a slew of other comments including improving the definition of profiling.

The PPB also made some progress in implementing PCW’s suggestion to prohibit officer use of proficiency in the Conduct policy, but left a loophole around “the totality of the circumstances” without recognizing how profoundly escalates situations. The officer who killed Robert Delgado admitted using proficiency, for example (p. 1).

Other policies that month included Laws, Rules and Orders (ignoring our comments on collective bargaining units being able to overrule policy), Performance Evaluations (dismissing our comments out of hand in a previous cover memo), and similarly not including suggestions on Directives about lawsuits and weapons.

September: The PPB brought back what was to be a new Directive in 2018 about managing their intelligence files. PCW’s comments in 2021 were very similar even though the draft was considerably different, such as: there is no mention of the FBI Joint Terrorism Task Force (p. 5), the policy allows police to judge themselves about complying with Oregon’s anti-spying law, and sharing files with outfits like the FBI which the PPB might have to destroy, but other agencies do not. They also put forward the “Authorized Use of Bureau Resources” Directive which has similar “the ‘union’ has final say” language to the Laws, Rules and Orders policy.

October: PCW’s July comments on the Wellness Directive were to include language about how officers taking care of themselves can benefit the community, not to suggest being well includes “thriving financially” but just being grounded in balancing one’s personal checkbooks, and not to require how much wellness time is for physical workouts. The PPB did adopt all three, but the new October version attempted to display care for the community by describing police actions as “customer service.” As we have said many times, people generally aren’t going to the “police store” to buy goods, so the term “community interactions” is better. The officer in charge of the wellness program thanked PCW for the comments at the Training Advisory Council meeting (p. 7).

November: More important words of support came from Michael Bigham, a retired Port of Portland police officer and former chair of the Citizen Review Committee, who echoed PCW’s comments on the Bureau’s vehicle towing policy in an email which went to the recipients of our original analysis. PCW reached out to Bigham because the Bureau backtracked on progress they had made based on CRC recommendations to the tow policy made in 2007 (PPR #43) and still hasn’t done more to, for instance, protect people who are living in cars from having them towed. The Copwatch comments also continue to ask the Bureau to figure out whether people of certain races/ethnicities are having their cars towed more than others. November also saw a post of a new draft of the Employee Information System Directive, last sent out in May, with almost no changes at all.

Overall, the work around these policies is similar to the broader work of trying to create a Bureau free of corruption, brutality and racism: slow moving and rarely rewarding. But, as we often say, so long as we have police, we have to find ways to hold them accountable.

Officer Leo Harris discusses the Officer Wellness program at the November Training Advisory Council meeting.

Leo Harris - PPB...

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Terror Task Force and Input (continued from p. 5)

The effort grew out of the JTTF campaign, having held a news conference in front of empty chairs representing City Council in 2020 (PPR #80) and livestreaming commentary during the hearing in 2021 (PPR #83). Mayor Wheeler ended testimony after an October 18, 2017 Report on Portland’s Sister Cities. There was no discussion, it just became policy. Slowly, the ability of Council to hear testimony on Reports was erased from the collective memory. The City Attorney’s announcements at the start of Council meetings no longer referenced City Code, which allows the presiding officer to decide whether to hear from the public. The Council Clerk similarly removed Reports from the list of items the community is allowed to sign up for. Getting this right restored may seem like a small administrative issue, but it is important for transparency and the democratic process.

All five council members were present on November 17 to hear testimony from five participants in the Joint Terrorism Task Force campaign asking to allow public testimony on reports (CityNet 30). Emory Mort is seen speaking.

PEOPLE’S POLICE REPORT #85  JANUARY 2022  page 11
As the harms of Facebook were revealed to the public, it appears the Portland Police Association (PPA) began forcing people to log in to their social media page to read their full articles. The change seems to have begun in mid-September. Despite our deliberate avoidance of Facebook, Portland Copwatch was still able to look at 70 posts on the PPA’s Facebook page and website from mid-August to mid-December, in part through their webpage <ppavigli.org/rapsheet>. Of those 70, a whopping 51 (73%) had to do either with the increase in visible crimes, the supposed shortage of police officers, or both.

The few other pieces included six (9%) about law enforcement officers who were shot, shot at or injured, including a PPB officer involved in serving a DEA warrant (p. 1). The PPA’s August 27 article on the last incident says the situation which left the officer injured “resulted in an officer-involved shooting and the suspect is deceased.”

Other topics included the PPA itself (two posts), posts remarking on Veterans Day and the 20th anniversary of 9/11, protests (two posts and also a focus of some of the staffing/crime stories), recent promotions (they approve—August 31), and one brazen effort to lobby people to sign up to testify about the City Budget. This last item went up at 7 AM on November 9, the day before the vote, when the deadline to sign up was 4 PM.

Notably, the PPA’s longtime President Daryl Turner, who took over as “Executive Director” in March after Officer Hunzeker had to step down due to scandal (p. 5), passed the leadership baton to Sgt. Aaron Schmautz. Schmautz was elected President and took office on Nov. 1, whereupon several of the posts reflected on his promises to keep doing the same things the PPA has always done, including his “aspirational” call to hire 100 more officers (KATU-TV2, reposted November 9).

It’s interesting that the once-dominant type of story, trying to show the police are friendly neighbors, has been replaced by the combination of fear-mongering and the one-note solution that Portland needs more cops.

Connecting Crime/Staffing with Help from the Media

Normally in this column, each topic gets its own subsection. However, since the PPA repeatedly makes the case that they are supposedly short-staffed and that Portlanders should help them fill their coffers — er, get more members — um, push for more public safety on the streets because of the perceived rising crime rates, this section is a summary of the 51 pieces addressing those two issues.

There are at least 19 pieces from the media about the police responding to various shooting incidents. An additional three Facebook posts include cross-posting of Bureau information regarding violent incidents involving firearms.

For example, the PPA posted a story on August 18 from KOIN-6TV about a coffee shop owner who was attacked and then the suspect fought with police. PPA explains this is why they put up billboards asking whether people feel safe in Portland.

Stories about gunshot incidents and/or the homicide rate were posted from KOIN (August 12), the Oregonian (September 1, 14, 25, & October 20), KPTV-12 (September 28, with PPA commentary: “how safe do you feel?”); KATU-2TV (October 4,*1 PPA says “we can’t feel safe on our streets,” October 11&16, November 16), KGW-8TV (October 13, also suggesting PPB is understaffed*2, October 26 & 30—with PPA comment (continued on p. 10)

*1-FWIW, the October 4 KATU story includes a quote from the sister of a man shot in 2019, before the so-called staffing crisis and the uptick in gun violence.
*2-The PPA conveniently ignored that the October 13 KGW story quoted Unite Oregon calling for money to fund non-police solutions.