



Office of Mayor Ted Wheeler
City of Portland

March 15, 2023

Simone Rede
City Auditor
1221 SW 4th Avenue, Ste. 310
Portland, OR 97204

Dear Auditor Rede,

Thank you for the opportunity to provide a response to your audit update regarding the 2018 Gang Enforcement Team (“GET”) Audit. As Police Commissioner, I appreciate the important role of your office to ensure transparency in the work of the Portland Police Bureau and all city bureaus. PPB leadership and I strive to serve in a manner that is both reflective of the values of our community and effective in creating a safe and vibrant city. Since the original 2018 audit was completed, Portland has faced an unprecedented rise in gun violence which has prompted us to find new ways to respond.

As we have discussed, there are significant distinctions between the Focused Intervention Team (“FIT”), the GET, and Gun Violence Reduction Team (“GVRT”). As such, application of prior audit recommendations for those units are incongruous to the FIT. As you know, a key difference of the FIT is the inclusion of real-time input from community members in the Community Oversight Group (“COG”). Importantly, the COG was created first then the FIT was designed collaboratively with COG members. The COG actively participated in developing job descriptions for FIT members, establishing values and expectations rooted in social justice and equity, and evaluating applicants throughout the hiring process. COG members are invested in understanding officer training and routinely make recommendations for additional training and/or suggestions for promoting positive community interactions.

Neither the GET nor the GVRT received oversight or input from the public in this direct manner. Because of these significant differences, my position is that a new audit is a more appropriate path forward rather than superimposing recommendations developed for units that operated very differently. Maintaining my position that this audit does not apply to the FIT, my responses to the audit recommendations as applied to FIT are as follows:

I previously requested greater clarity regarding your recommendation that PPB collect demographic and other data on “mere conversations.” As noted in the audit, the Bureau publishes and analyzes stops data, including demographic data, and plans to separately analyze stops data for the FIT from its inception in 2022. Because the FIT is operating in a different manner than the GET or the GVRT and stop data is publicly reported, the basis for this recommendation is unclear.

In addition to the legality of collecting such data, we remain concerned with the feasibility of the recommendation as it applies to the FIT. “Mere conversations” encompass every voluntary contact a member of the public has with an officer, regardless of who initiates that contact. This would include small talk while getting coffee or having lunch, or even a person simply asking an officer for directions. Tracking every passing conversation and entering that information into a law enforcement database is a major undertaking.

More importantly, I have significant concern about the chilling effect on community engagement if police officers are required to collect demographic information, as recommended in the original 2018 audit. As PPB works to employ 21st Century Policing principles and build relationships, community members should not have to worry about their demographics or other information being tracked solely because they spoke to a police officer. This is particularly true for the FIT, which aims to ease tensions in the community and build trust as it works to reduce gun violence. As I have stated previously, I am willing to reconsider my opposition to this recommendation as it applies to the FIT if your team can direct us to precedent that demonstrates the efficacy of this practice.

Regarding the recommendation that “the Gang Enforcement Team set goals to measure the effectiveness of patrol stops and record whether they resulted in contacting a criminal gang suspect,” I do not believe this recommendation applies to the FIT. As noted in the same paragraph of the audit, the goal of the FIT is distinct from the goals of the GET and GVRT, so documenting whether FIT officers encounter a “criminal gang suspect” during a stop does not seem applicable. Moreover, this recommendation asks PPB to track a person’s gang affiliation, which is inconsistent with the community feedback that resulted in eliminating compiled lists identifying suspected gang members.

Similarly, your recommendation that the Bureau “adopt policies and procedures for collecting and disseminating information about people with gang relationships” in effect directs PPB to create a tracking system for individual gang affiliation, even if that information exists only in officers’ memories or witness statements made to police. Then, based on that tracked data, create a process by which people could seek to have that information stricken.

Auditor Simone Rede

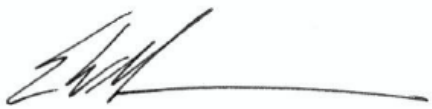
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I'm not sure how such a system is feasible, particularly in the case of individual officer knowledge and memory. I would also note that witness statements in law enforcement investigations often include descriptions, allegations, and information that may not always prove to be accurate. I am concerned that if this recommendation were somehow implemented, the result would lead to an unsustainable demand to strike a variety of information that may not have ever resulted in any action by law enforcement at all.

Auditor, I appreciate your team's efforts and consideration in making these assessments. I understand that we may not always agree, but I do value the important dialogue about constitutional policing. I look forward to working with you toward our shared goal of a safer and stronger city for all Portlanders.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Wheeler', followed by a long horizontal line extending to the right. A vertical line is positioned to the right of the signature.

Mayor Ted Wheeler