

City of Portland
Portland Committee on Community-Engaged Policing (PCCEP)
Advance Public Comment for 06-14-23 Meeting

Advance public comment begins after this line.

Comment #1

From:

Portland Copwatch

Comment:

To the Portland Committee on Community Engaged Policing and the Portland Police Bureau: Portland Copwatch has the following observations about the Portland Police Bureau's annual report for 2022. We likely would have made more comments had there been more lead time given.

Shootings and deaths: As with last year's report, the numbers of shootings committed by officers is listed accurately. This year the number of community members killed and wounded seems to be accurate as well: nine shootings, four people dead, three wounded, one not hit and one unknown as the suspect drove away (p. 7). That said, it's still inaccurate to separate officer involved shootings from other homicide and shooting data in the City (p. 11 and elsewhere). The report says PPB homicide detectives investigated the nine PPB shootings and four others, but doesn't list what those were (p 35). Our records indicate there were deadly shootings by Multnomah County (in Gresham) and Clackamas County (in Portland) Sheriff's Deputies in January, a non-fatal shooting by a US Marshal in Portland in April, and a wounding by Multnomah deputies in Portland in October. Are these the four incidents? The report on the Bureau's Focused Intervention Team (FIT), which started up in early 2022, casually mentions that it was a "challenge" that seven of the 12 officers were on leave because the unit was involved in three officer involved shootings (p. 56). These shootings occurred in May, July and August and raise questions whether the FIT is reducing gun violence or adding to it. It's also noteworthy that the last time there were nine deadly force incidents in Portland in one year was 2001. Moreover, in discussing the changes made to Directives over the course of the year (pp. 15 & 70) there is no mention made about the supposed threat to officer safety that led the Chief to issue an executive order changing the release date of officer names from 24 hours to 15 days. As a side note, PCW has asked several times to see a copy of that executive order but nobody has ever presented it. We continue to believe the change in policy was made in violation of the Settlement Agreement's guidelines and harms community trust.

Do Black Lives Matter? One of the people killed by the Portland Police was Immanuel Clark-Johnson on November 19. While the PPB has a reputation for shooting a lot of young Black men, Clark-Johnson was the first Black man killed by the PPB since January 2019. The race of those shot by police should be included because it is something that weighs heavily on people's minds. Two weeks earlier, Antoine Young, another Black man, was wounded by the PPB. Overall, the report includes pages upon pages of data, many of which are about crime or deployments by particular units. Yet the section summarizing

traffic stops only says "The [stops data] report highlighted changes from prior reports and actions the Police Bureau was undertaking to address areas of concern noted within the analysis" (p. 65). The issues raised included that the percentage of Black drivers being pulled over hasn't changed significantly despite changes in PPB policies. The DOJ Agreement requires bias based policing to be part of the discussion in the annual reports. Stop data should be clearly presented.

Accountability: While the word "accountability" only appears once in the context of holding officers responsible for policy violations (p. 15), the bigger problem is the same as with previous annual reports. Where the data on cases investigated by Internal Affairs is presented on p. 19, there is no presentation of the outcomes showing how many violations were found nor how many forms of discipline were imposed. Even if these data are included in IPR annual reports (which varies from year to year), the PPB should highlight them in the interest of transparency and building community trust. On that note, the Personnel Division reports there were 27 officers who had "unplanned separations" (p. 63). It would be helpful to explain the reasons these officers left. Publicly available data indicates that in 2022 there was one layoff, along with 33 resignations and 27 retirements. What is the definition of "unplanned separation"? It's also misleading to start the description of the Police Review Board (p. 7) by saying it is made up of community members, Bureau members and "representatives." As you know, smaller PRBs have only one community participant out of five voting members, and larger ones have two out of seven. It would be good to explain why the Employee Information System had to be fixed to address "system-error threshold breaks, such as officer-involved shootings, criminal complaints for non 'Involved Members,' and years-old closed complaints triggering threshold breaks erroneously" (p. 18). The last item makes it seem that because some cases are held open for a long time, the system was thinking officers had been involved in a force incident within the past 30 days when that wasn't the case. The language is very unclear and should be explained.

Force Data: There is little attention given to officer use of force in the report. The section on the Behavioral Health Unit gives statistics about how infrequently people with mental health issues are subjected to force, but only lists force use in terms of percentages. Listing how many times officers actually used force of Category 2 or 3 (injury or could cause injury) would be more meaningful than ".023% of encounters" (p. 46). More importantly, the Category 1 force incidents (deadly force) primarily involve people who are or appear to be in mental health crisis, so that should be reported here as well.

Crowd Control and Community Engagement Issues: The report being generated by Independent Monitor LLC (IMLLC not IMLCC as listed on p. 15) is stated as being due out in spring 2023. As we write this, there are eight days left in spring. This report was originally due out in January and regards protests that occurred starting in May 2020-- over three years ago. The delay is allowing officers who may have been involved in misconduct to resign/retire while only a small handful have been held accountable. It is interesting to learn that the Coalition of Advisory Groups held multiple two-hour sessions to talk about the protest response, with 30 community members involved. If these folks are supposed to be bringing forward concerns from the broader community, one would think that groups like PCW would have heard there was an interest in channeling community comments to the Bureau. Instead, most of the individual groups involved and the CAG itself continue to meet out of the public eye. This is partly why there is still such a disconnect between the PPB and the larger community, particularly large portions of the disenfranchised communities who are represented by the advisory groups (African American, Muslim, Latino, Slavic and Asian/Pacific Islanders). No mention is made that the LGBTQIA+ advisory group, the Alliance for Safer Communities, was disbanded in 2022.

Engaging with the Feds: This year, the number of cases shared by the Portland Police with the FBI's Joint Terrorism Task Force includes both cases that went from PPB to the FBI and vice-versa. However, it combines the 10 cases the FBI sent with the three that the PPB sent (per the January annual report) into one lump number of 13 (p. 13). Community concerns about the PPB working with the FBI have revolved in part around federal agencies having lower standards to open cases and refrain from collecting First Amendment-related information. Thus it's also of concern that the Enhanced Community Safety Team (ECST), which investigates gun crimes, is working with the FBI, Homeland Security and the Bureau of Alcohol, Tobacco and Firearms with no apparent special guidelines or community oversight (p. 55). To work with the JTTF, the City had to sign a special memorandum of understanding with the FBI. Is there such a memorandum for the ECST?

Language Matters: In describing the Neighborhood Response Team's activities, there are some "cleanups" listed (p. 26). Do you mean "camp sweeps of houseless people who had nowhere else to go?" Then say so. There's a reference to "emergency abatement campsites" on the same page. Does that mean officers relied on policies allowing for sweeps done without notice? That should also be stated clearly. The Bureau should also be clear when there is training on how to recognize possible risks in the community rather than stating, for instance, that officers attended an "ADL 'White Lives Matter' Network of Hate Training" (p. 50). That could easily be misinterpreted as to the purpose of the training.

Budget and Staffing: The annual report repeatedly discusses how many divisions of the Bureau are "short staffed." But the table on p. 73 reveals what PCW has been saying for a long time-- that the Bureau isn't filling its vacant positions, with 80 sworn officer positions open at the end of 2022. City Council just approved an increase in the budget to allow for hiring 43 more officers when the PPB isn't fully staffed using the budget it already has. Perhaps one budget hole that could be plugged is in the Air Support Unit, which reports that it only logged 1833 regular hours but 3581 overtime hours in 2022 (p. 43). After a special ordinance at City Council to allow for a specific officer to be rehired, we were surprised to learn that a total of four Sergeants and Detectives came back into the Bureau in 2022 (p. 63). PCW still has major concerns that these officers get to receive salaries and retirement benefits at the same time.

Junior Police Officers: PCW doesn't remember reading before about the community volunteers who help the Traffic Division by educating people about "Disabled Parking" and traffic infractions flagged by radar (p. 32). We also remember the Reserve Officers program ran into problems a few years ago and is not mentioned in the report. On the other hand, it says that nine new Cadets were trained in 2022 (p. 69). What do these volunteers do?

Burying the Lede: Much of the information in the Executive Summary repeats throughout the report. However an informative piece of data is buried on page 71: That 1/3 of officers who were planning to leave the PPB decided to stay at least in part because of the wellness program.

We hope this feedback is useful and will help the PPB create a better report. Focusing on the issues we've raised here at the precinct and City Council presentations will also add credibility to the Bureau's willingness to examine its own shortcomings in the interest of improvement. Thank you.

dan handelman (and other members of), Portland Copwatch

P.S. There's also a typo in the Chief's statement on p. 2 which says "Portlnad" rather than "Portland," and the word "the" is spelled "teh" on p. 5.

Comment #2:

From:

Kate Sattler

Comment:

Hello, PCCEP leaders.

I can't make tonight's meeting, but wanted to provide input. I hope it's okay to submit feedback by email. Thanks for organizing this!

I reviewed the annual report last week, which certainly documents a lot of activities.

I believe the PPB's annual report should prioritize and directly answer these questions:

1. Are all people* in Portland safer *because* of the PPB?
2. Are all people in Portland safer *from* the PPB?
3. If so, how so? What is the evidence to support the two responses above?
4. If not, why not? What actions will be taken to achieve this?
5. How is the budget being spent? Why? What is the material benefit and ROI to all Portlanders?
6. How is the Police Commissioner (Mayor) contributing to and accountable for the responses to the questions above?

**i.e.*, no discernible disparities between any demographic groups

Supporting info:

Surveys, such as the Gun Detection System Pilot survey and those conducted as part of the Portland Street Response year one evaluation, show that the majority of Portland residents do not trust the police and do not call 911 because they do not feel safe doing so; they do not find the police to be helpful, respectful, or effective; and they witness the police engage in discrimination, harassment, egregious arrests, destruction of belongings, and violence. *The evaluation contains both data and interviews.*

This refusal to meet baseline expectations for public safety employees and to perform their jobs effectively and professionally should be addressed in the Annual Report — and not through more “let's build mutual trust between the community and police” rhetoric/initiatives as though it's a both sides issue and not a powerful armed force vs residents and a public agency vs the people it's supposed to serve.

If police were keeping people safe, solving and preventing serious crimes, complying with federal decrees, aiding people in distress, and not profiling, harming, or discriminating against people, that would be evident in the responses to the first 2 questions listed above.

The fact that people choose not to call 911 is a measure of the PPB's performance as a public safety agency and should be treated as such.

All murders and uses of force by police should be reported to the public through the Annual Report. This is essential information for the public to know. It is not business as usual (or should not be viewed as such); these are egregious acts — urgent and traumatic. It is a public health crisis Portlanders fear and face daily. It is a choice and it must be addressed.

Also, all settlement payouts for harm to and murders of residents should be included in the Annual Report (and paid to victims of course!). In addition, disciplinary efforts should be documented to assure residents that all measures have been taken to ensure that NO officers employed by the City have violated laws or professional codes of conduct or harmed anyone.

The Police Commissioner also deserves a higher profile in the reporting. It's frustrating and harmful that when some people testify about homelessness and they conflate crime with homelessness and/or say they've called the police about a specific act of crime and the police didn't do anything, the Mayor-Police Commissioner says: nothing. He is tacitly perpetuating and endorsing that conflation for political benefit, evading responsibility, and not holding his officers accountable or putting forth even the basest expectation that police should solve reported crimes — and do so in a safe and respectful way.

The investment in major surveillance and technology systems - which pull resources from essential public services and an upstream approach of ensuring everyone has housing, healthcare, and other basic needs - is outrageous when the most fundamental way for police to be alerted to and prevent or solve crime is the 911 system and people's trust *based on experience* that contacting the police will be helpful and result in a positive outcome.

Finally, the public also deserves to know how public funds are being spent. What are officers doing? Why so much overtime? Why are so many officers involved in individual interactions with members of the public? Are all "conversations" they're having with people to offer services being documented as stops? Why are police better equipped to do that work than other public agencies? We need more transparency about the return on investment for funding the bureau at levels so disproportionate to other public agencies that aid people, keep them safe, and materially and equitably improve their lives and their neighborhoods.

Please let me know if you have questions. Thank you for the opportunity to provide feedback.

Best,

Kate Sattler