

[PCCEP Listening Session] 10:09

Okay. We're gonna get started, so we'll call this meeting to order now. Good evening, everyone. My name's Dori Grabinski, and I'm the Program Manager of the Portland Committee on Community Engaged Policing, also known as PCCEP. Um, thank you so much to everybody here tonight, both in person and on Zoom. Um, so I just want to point out who is with us at the front of the room. To my right, we have the PCCEP members who are here with us in person, and there are several more online. And then, uh, behind me are our two facilitators. We also have a couple of presenters who will be speaking, and they're all online. Also, quickly mention that PCCEP is... we have a couple of vacancies currently, so we are accepting applications if this is work that you're interested in doing, you can find that on our website. And now I'll pass it to our facilitators to get us started.

[PCCEP Listening Session] 10:59

Yes, hello everyone, good evening. My name is Afrita Davis. Um, I am one of the facilitators this evening.

[PCCEP Listening Session] 11:06

Hi everyone, good evening. Thanks for being here, making it out. My name is Nakia Solbjor, and I'm also one of the facilitators for this event.

[PCCEP Listening Session] 11:15

All right. Um, so let's go ahead and begin to move through the slides so you can get the first slide, please. Uh, there should be one more slide before that one. There we go, that piece there. Um, so this town hall is a public meeting, and because of this, we'll also be hosting online, as Dori mentioned, um, hello to our online guests. Um, the video will be recorded, and the transcript of the event will become part of public record. So, for those joining, that's virtually, we ask that you use the chat function in a manner that is respectful. To all the people who work hard on this event. And to the community members giving testimony. If there are repeated violations of community standards in the chat, we may not be able to leave the chat open. And now we'll move to the community standards. Thank you.

[PCCEP Listening Session] 12:14

So, first, let's be respectful of all other attendees, panelists, and event staff, and your word choice and harmful comments. This includes comments that are considered likely to disrupt, provoke, or attack others. Racist, sexist, homophobic, sexually explicit, abusive, or otherwise harmful language. Hate speech, harassment, or doxing in any form. Two. Please be respect... respect event staff and their responsibility to hold these guidelines. And three uh, attendees who violate these standards may be removed.

[PCCEP Listening Session] 13:00

So, next slide, please. Um, as we stated a second ago, this is a hybrid event. Hybrid meetings pose certain challenges to tracking the order of speakers in the queue and ensuring a balance between in-person and virtual engagement. This event is about hearing from you, and PCCEP members, PCCEP staff and facilitators will make every effort to manage these factors. We thank you in advance for your flexibility, patience, and understanding. We may not have time to hear from everyone tonight, but PCCEP wants your input um, and we'll consider it our work, ongoing work. Send written comments to our public comment forum. We are collecting comment cards in person as well, and you can email us at [PCCEPinfo@portlandoregon.gov](mailto:PCCEPinfo@portlandoregon.gov) All right, and next slide, I'll go ahead and pass it to Leslie.

[Leslie Martinez] 14:01

Uh, can everybody hear me? Sounds good. Okay. Yeah, hi everyone, my name is Leslie Martinez, I'm a PCCEP member. My pronouns are she, hers. And on behalf of all of PCCEP, we'd like to thank you all for being here tonight. And, um, yeah, taking the time out of your evening to attend this listening session. Um, so, to start, the listening... the purpose of this listening session. Um, again, thank you all for joining us, um, to honor the life of Damon Lamarr Johnson. This listening session will provide a space to reflect together on this in-custody death and its impact on the community. It will also offer context on the Settlement Agreement and its role in guiding constitutional policing in Portland. Um, PCCEP does acknowledge that the case is still under investigation, and this committee was created because of the lack of community voice and public safety, um, and how it's contributed to the conditions of unconstitutional policing. Um, and the community remains essential in shaping what justice means and looks like. So, thank you again. Um, as... part of PCCEP, we are authorized to submit recommendations to the Mayor and PPB Chief. The City is required to respond to PCCEP recommendations within 60 days under the DOJ Settlement

Agreement. And we may also present to City Council in other... and in other public forums. So, just to set the stage on that... Um, so... The next is... we're... yeah, taking a look at our agenda for tonight. We'll start with opening comments from PCCEP. Um, then we'll move on to, hopefully on time, 6.20, um, we'll talk... we'll have our presenter opening comments with, um, Reverend Dr. Leroy Haynes, um. Sorry, I'm hearing my voice, and it's kind of... Okay, um, Dr. Rochelle Silver, uh, and... J. Ashlee Albees, um, at 6.45. We will, uh, talk through the incident timeline and, uh have our framing questions. And then, um, at 6.55, we will start the public testimony, where we'll spend the majority of our time. Um, at 8.55, we'll have closing comments, and we'll adjourn at 9pm. Um, so yeah, we'll begin with the opening comments from PCCEP, and, uh, which will include background information on what the Settlement Agreement is, and we'll hear from our three presenters. Um, go ahead and pass it back to Afrita.

Yeah, I'm just gonna shoot it to you, DaVante.

[PCCEP Listening Session] 16:49

Okay. Um... Good evening, everyone. So, my name is DaVante Minniweather, and I'm one of the co-chairs for PCCEP's Full Committee. Um, and I just kind of like to tell you guys very briefly about who we are. So, we are a committee of 13 community members who are independent from the City and from Portland Police Bureau, and we serve as an advisory committee. Um, we were created as one of the remedies under the DOJ Settlement Agreement to ensure community voice is a part of policing and public safety in Portland, and so that the community's perspectives and concerns, um, always make it to those discussions. Um, we make recommendations to the Mayor and Chief of Police under the Settlement Agreement, and they are required to formally respond to our recommendations within 60 days. So, this is a timeline, um... Explaining how and why PCCEP became one of the remedies under the Settlement Agreement and the DOJ investigation that resulted in the Settlement Agreement began because of years of community organizing in Portland, and public pressure following a pattern of officer-involved deaths. And the creation of PCCEP represents the city's commitment to honoring that history. Uh, in that work that was done, um, and ensuring community voice will be included in policing and public safety discussions, and... uh, topics, uh, moving forward. And so, um. This here is an overview, um, you know, thank you. This year's an overview of what the Settlement Agreement actually is. So it is a legally binding agreement between the City and the U.S. Department of Justice. Um, it comprised of a list of remedies, PPB and the City must implement to address the DOJ findings from the investigation that they did. The findings were of unconstitutional policing. Um, a third-party monitor assesses compliance on a regular

basis. Right now, that's the independent monitor. Um, remedies include changes to policies, training, oversight, supervision and also, um, community engagement. So, these are some of the things that are... included, but it's not limited to those things. Um, the DOJ investigation followed patterns of excessive force by PPB, especially against people with mental illness and, um um, people of color. Um, many precipitating cases, including in-custody deaths, involves Black community members in mental health crisis. Um, the City is close to full compliance with the Settlement Agreement, and making this a key time to reflect on progress and community impact um, so that's why we're here tonight.

[PCCEP Listening Session] 19:38

Thank you, DaVante. Uh, now we're going to move into the opening comments from our three presenters. And these opening comments are intended to provide context about the Settlement Agreement, as well as the history of community work around police reform. First up, we have Reverend LeRoy Haynes from the Albina Ministerial Alliance. And we ask that our panelists keep their comments to 10 minutes at maximum. First up, Reverend Dr. LeRoy Haynes. And they're all joining us, um, virtually tonight. Oh, there it is. There he is.

[Dr. LeRoy Haynes] 20:32

Yeah. Okay. First of all, I want to, um, um, thank this, uh um, distinguished committee, uh, the co-chairs, and the, uh members who have committed and dedicated their time and energy towards, uh this reform effort of the Portland Police Bureau. Um, I am the, uh, Reverend Dr. Leroy Haynes. I am, uh a long-time civil rights, uh, leader. Marched with Dr. Martin Luther King. Was a community organizer with John Lewis and SNCC, and I also serve as a... a pastor. Um, the Albina Ministerial Alliance is over 70 years old as one of the largest and ecumenical bodies in the city of Portland. Uh, AMA is composed of 100 churches of various denominations and non-denominational churches. It originated and encompassed the old Albina community. Traditionally included North and Northeast Portland but has expanded to include churches throughout the city of Portland and greater Portland. AMA has been a major voice of the Albina Community and providing, uh, social service, education, religious training, and social justice advocacy. It was through AMA that the coalition uh, was formed to include community and civic organization. Civil rights organizations. Social justice activists, uh. Um, so I come before this, uh PCCEP, uh, listening meeting, as chairperson of the Albina Ministerial Alliance Coalition for Justice and Police Reform. That has been a consistent advocate of, uh reform of the Portland Police and justice, and the criminal justice system for the last two decades. The AMA was formed

out of 25 coalition partners, uh, uh, some 20 years ago in response to the killing of, uh, unarmed African American, uh female by the name of Kendall James, and... Um, on May the 5<sup>th</sup>, 2003. Over 5,000 members of the Portland community diverse faith, ages, races, uh, united together in a call for justice. It was at this time that many community leaders and community organizations, labor, faith houses and activists felt the need to create a broad base grassroots coalition to address the issue of police use and excessive and deadly force unjustly against members of the Portland community.

[Dr. LeRoy Haynes] 24:00

The Albina Ministerial Coalition focused on five major goals, which included:

- Number 1, a federal investigation by the Justice Department to include criminal and civil rights violation, as well as a federal audit of the patterns and practices of the Portland Police Bureau.
- Number two, um... The creation of an independent police Citizen-driven review board with the power to compel testimony.
- And three, a full review of the Bureau excessive force and deadly force policies and training with, uh, the very citizens' participation for the purpose of making recommendations to change policies and training.
- Four, to, uh, lobby the state legislature in the language of the states stature for deadly force used by police officers.
- And five, to establish a special prosecutor for all the excessive and deadly force cases by the police.

[Dr. LeRoy Haynes] 25:22

The AMA Coalition was Uh, either the lead advocate or supportive advocate in a variety of excessive force cases, a deadly force cases such as James Johar Perez in 2004. James Chasse Jr in 2006. And then, in terms... of, uh, Aaron Campbell in 2010 and Keaton Otis in 2010. It was following the killings of unarmed African Americans and the stress over the death of his brother that Aaron Campbell was killed by a police officer sniper fresh hour on January the 29th, 2010. The mass demonstrations broke out, and different communities in the city of Portland and, um, both... The Albina Ministerial Alliance Coalition, the City Council, and at that time, Mayor Sam Adams called for a federal investigation of Aaron Campbell's case. Um, but the Albina Ministerial Alliance Coalition took this, uh, step further and... then a federal shooting that was very common. AMA requested that the Department of Justice with the endorsement of the two senators in the state of Oregon ask

for a federal audit that required, that everything is considered from the time of recruitment, to investigation, to training, uh, to accountability practices. Uh, this was done... Uh, and in terms of a full-scale audit of the Portland Police Bureau uh, because of the use of force against citizens of the city of Portland. Mayor Adams, at that time, and Commissioner Dan Saltzman and thus, the call for an audit of the Portland Police Bureau. In the spring of 2011, the Department of Justice came back with a report and in that the Campbell case, stating that it found no wrongdoing by the Portland police officer. However, in June the 8th, 2011, the Department of Justice announced that it will conduct an audit of patterns and practices of the Portland Police Bureau. During the summer of 2011, the Department of Justice study interviewing of community members as well as Portland Police Bureau, uh, organizations, lawyers, City officials.

[Dr. LeRoy Haynes] 28:31

On September the 13, 2012. The Department of Justice issued its letters of findings, saying that it come to the conclusion that patterns and practices of excessive force is used against people with mental illness or perceived to be mentally ill. In November 2012, the City Council passed an amendment of the Settlement Agreement. In January the 2013, Judge Michael Simon, in federal court, allowed the Portland Police Association to be a part of the lawsuit followed by the Department of Justice, and created a new legal status for the AMA Coalition that is called Enhanced Amicus. Which allowed the coalition as a community organization to be a party of our mediation in the Settlement Agreement. In July 2013, the Council, City Council of Portland accepted Albina Ministerial Alliance Collaborative Agreement, outlining the AMA Coalition participation and the implementation of the Settlement Agreement. In February 2014, Judge Simon conducted a fairness hearing where over 70 citizens gave testimony from all walks of life.

[Dr. LeRoy Haynes] 30:15

In August 2014, Judge Michael Simon entered his Settlement Agreement into record and called for annual periodic, uh, uh, hearings to take place. Uh, and as we... Look at, uh, the, um, the engagement, uh and the creation of PCCEP, we must also understand the historical context that this has not been a, uh a sprint, but this has been a momentum. A marathon that has taken place over several decades in that process. And as we look at the... case of, uh, Damon Lamarr Johnson uh, at the hands of, uh, of the Portland police officer, we need to really examine and recommend review to the appropriate entity there. Secondly, we... we need, uh, at this time when we, uh, were dealing with the body cam. We

need a review of the practices and procedures of the body cam and the distribution of the video, uh, to the community. Thank you so very much for the time and, um, may the dream continue to go forth.

[PCCEP Listening Session] 31:55

Thank you, Reverend Dr. Haynes. Next up, we have Dr. Rochelle Silver of Mental Health Alliance.

[Rochelle Silver] 32:17

Hi, um, my name is Rochelle Silver, and I am a member of the Mental Health Alliance, another Amicus group in the Settlement Agreement between the Department of Justice and City of Portland. Tonight, I'd like to read a statement to you uh... about the death of Damon Lamarr Johnson.

[Rochelle Silver] 32:44

At a status conference in 2020, in front of Michael Simon, Judge Michael Simon uh, about the settlement agreement, Michael Hopcroft's, a member of the Mental Health Alliance testified and said, and I quote

“All we asked was that you not kill us.”

The tragedy of Damon Lamarr Johnson extends the Portland Police Bureau's pattern and practice of harming people with mental illness. After 12 years of frustrating official participation in the settlement agreement, imposed by the U.S. Department of Justice that was supposed to eliminate improper use of police force against Portlanders with mental illness, this is our position.

The effective way to reduce misuse of force by police against people experiencing a mental illness crisis, is to eliminate contact between police and those people in crisis. According to news reports and body-worn camera footage, Mr. Johnson had not committed a crime, and was not suspected of a crime.

Mr. Johnson was known to have a severe and persistent mental illness and was clearly symptomatic. Mr. Johnson did not have weapons or make threats sufficient for 911 to send police. Hanging knives from a window is not a threat with a weapon. The city should have a fully funded, fully implemented alternative response to police in place.

We agree with Portland Police Bureau Chief Robert Day, who said, and I quote, This is not the right response model. This is not who we need going to these calls, unquote.

Supporters of the Mental Health Alliance demand that the City of Portland immediately hire an experienced independent investigator to make an unlimited and public review of the death of Damon Lamarr Johnson, including a complete narrative of what interventions were attempted or not attempted by Johnson's clinical team, whether his housing agency had staffing present and appropriate for his needs, what prior contact police had with Johnson, what prior 911 calls by or about Johnson resulted in service, what training 911 staff had about mental illness and transporting people in crisis, whether Johnson had prior visits from either Project Respond or Portland Street Response, or other outreach agencies, what was the involvement of Johnson's parole or probation officer, answer whether Johnson was under court supervision, to incorporate the report on Johnson's death from the medical examiner, and release their report, regardless of the timeliness of criminal or civil inquiries.

The access and effectiveness of care for mental health illness available to Mr. Johnson prior to his death should also be assessed, along with the performance of Multnomah County and its contractors, CareOregon, and the Oregon Health Authority in providing that care.

Questions to be answered by an independent investigation are...

- Was Portland Street Response not available at the time of the call?
  - o If so, what is the source of this unavailability? What has limited PSR's ability to operate 24-7?
- If Portland Street Response limited in their ability to enter a private residence?
  - o If so, what is the source of that limitation?
- Is Portland Street Response unable to transport a person involuntarily to a hospital for assessment?
  - o If so, what were the available non-police alternatives to involuntary transport?
- What is Portland Street Response's policy on engagement where there are weapons present?
  - o Are “knives hanging from strings outside a window” a threat to PSR?
- What other community-led alternatives to police were available to 911 for dispatch?
  - o What training about alternative response does 911 receive?
- Considering several cases, DRO v. Washington County, Case v. Montana, and Wrobel v. Alaska, what is the legal risk for the City of Portland to have a limited mobile crisis response team?

Why an independent investigation? Because at the moment, there is no other active or effective police accountability system in Portland. And no accountability review of 911 or other emergency dispatched agencies or contractors. Aside from news reports - which are appreciated - there is no independent information about what city employees have done to cause this death.

The Portland Police Bureau administration does not provide a fulsome public report of death investigations. Prior City Councils and Mayors have been indifferent to lethal use of force.

The launch of a Community Board for Police Accountability may or may not occur within the next year. The independence, capability, and objectivity of the members of this Board is at the moment highly questionable. No completed report should be expected from that board for years.

The currently existing Independent Police Review does not review lethal force cases. Therefore, neither does the Citizen Review Committee. Neither PPB Internal Affairs or the Police Review Board provide public reports.

The Behavioral Health Unit Advisory Committee, though expected to review deaths caused by lethal force by the settlement of U.S. DOJ v. City of Portland, has not done so, and the parties have not held the BHUAC to this expectation.

The Multnomah County District Attorney's Office has never prosecuted a police officer for use of force. The most recent District Attorney has not convened a grand jury to review evidence in police-caused deaths.

The State Department of Justice has shown indifference to police lethal use of force cases and does no investigations.

The State Department of Police Standards and Safety Training does not review officer certifications in respect to lethal force.

While the Mental Health Alliance is not asserting lethal force was misused, it's impossible to know whether or not lethal force was misused without a full, independent investigation.

The Mental Health Alliance has some additional demands.

We demand:

- Immediately to remove restrictions on PSR, such as entering private homes and businesses.

- To fully fund and staff PSRs so that they can effectively complete their mission 24 hours a day, 7 days a week, responding to all appropriate requests for service within 30 minutes.
- To negotiate with Multnomah County to either delegate authority to transport people in crisis to hospital to qualified PSR staff, or embed authorized professionals on PSR teams.
- To require Portland Police Officers to facilitate transport to emergency care when legally ordered to do so by County-delegated mental health professionals.
- To make training materials for the Police Bureau's Enhanced Crisis Intervention Training (ECIT) available to the public.
- To make training materials for PSR available to the public.
- To make training materials for 911 relevant to alternative response available to the public.
- To release the 911 transcript and raw data from the body-worn cameras.
- Embed a PSR or Project Respond clinician at 911, 24/7 to triage calls which objectively and clearly request assistance for mental health, mental illness emergency.
- Provide a full and appropriate settlement to the family of Damon Lamarr Johnson.

Thank you all for being here, for listening, and thank you to PCCEP for inviting me to speak.

[PCCEP Listening Session] 41:54

Thank you, Dr. Silver. Finally, we will hear from J. Ashlee Albies, Civil Rights Attorney.

[Ashlee Albies - she/her] 42:12

Good evening, everyone. Can everybody hear me okay? Okay, great, thank you. Hi, everyone. My name is Ashlee Albies. I, um, counsel with the Albina Ministerial Alliance Coalition for Justice and Police Reform. I also litigate civil rights cases involving police misconduct, including against the Portland Police Bureau. So, I want to talk briefly about the legal framework that governs the Settlement Agreement and the situation with um, what we're here to talk about tonight, and hear from you about um, with Damon Lamarr Johnson. Um, the Fourth Amendment to the United States Constitution protects the right of people, not just citizens, but all people to be free from unreasonable searches and seizures. And this means to, it also includes a clause that says that in order to be searched, or in order to be arrested, the government or the police must have probable cause. And for police accountability purposes, and the purposes of this settlement agreement, the Fourth

Amendment right to be um, also includes a right to be free from excessive force. And courts interpret this to mean that if the police stop someone, they have to have a reasonable basis to do that. If they arrest someone, police must have probable cause. If they use force against a person, that use of force must be reasonable. And cases interpreting the Fourth Amendment that provide that police can only use reasonable force against people, looks at the totality of the circumstances of a particular situation.

[Ashlee Albies - she/her] 43:48

The cases that discuss totality of the circumstances, list out what constitutes, legally, the totality of the circumstance. It includes things like the severity of the crime that is at issue. Whether the suspect poses an immediate threat. Whether a suspect or subject is actively resisting or attempting to evade arrest. Essentially, it tries to balance the government's interest in stopping crime and keeping people safe, with the individual and the subject of the use of force, their rights to bodily autonomy and to be free from unreasonable force. And what it boils down to is what the police knew at the time, based on their training, based on their experience, what they're seeing and what others are seeing. Um, so in 2012, as Dr. Haynes shared with us, the Department of Justice conducted an investigation. In September of 2012, they issued a letter finding that the Portland Police Bureau engages in a pattern or practice of unnecessary or unreasonable force in violation of the Fourth Amendment, during interactions with people who have mental illness were perceived to be, um, have mental illness. The Department of Justice investigation found that the Portland Police Bureau used a higher level of force the necessary when engaging with people in crisis or perceived to be in crisis. That Portland Police Bureau officers use tasers more than necessary on people who are in crisis. And that Portland Police Bureau officers used a higher level of force than was justified for low-level offenses. Now, the federal government's authority to conduct this investigation and ultimately file the lawsuit that they did, stems from a federal statute called the Violent Crime Control and Law Enforcement Act of 1994. It's at 42 USC 14141. Now, this section authorizes the United States to file a legal action when it has reasonable cause to believe that a law enforcement agency is engaging in activities that amount to a pattern and practice of violating the Constitution, as they did here. The complaint in this case was 8 pages long, an alleged a pattern in practice that I've just described. The same day, in December of 2022, that the lawsuit was filed, the City and the, um, U.S. Department of Justice also filed a 77-page, 190-paragraph Settlement Agreement. Um, and that agreement set out how the city was going to address these issues. So that agreement was, um defined and worked on before the complaint was even filed, and it was filed at the same exact time. And the Department of Justice identified

need for revised policies for training, for supervision and a need for timely, thorough internal review of uses of force. So, in other words, the Portland Police Bureau needed to improve its policies, needed to improve its training, and needed to improve its supervisory and accountability measures. The context of the lawsuit when it was filed was the backdrop of an under-resourced mental health infrastructure in the City. And there's still, today, no comprehensive community mental health infrastructure in the City. So, the issue remains that we see police being called as first responders to individuals who are in crisis. And as, um, Dr. Silver described, there are other alternatives that we should look to, so that first responders are not always going to be police. There are other alternatives.

[Ashlee Albies - she/her] 47:15

Now, the legal cases interpreting the Fourth Amendment state that when someone is in mental health crisis, they're experiencing a mental health crisis, and their behavior might be a symptom of that crisis. The police have to consider that as one of the factors in this totality of the circumstances analysis. So, if somebody is yelling and screaming but not threatening anyone, if they've committed no crime. Then it's not reasonable for police to use substantial force. They can't, for example, use a taser. They can't use deadly force on someone who has not committed any kind of a crime. And if the behaviors that the person is engaged in are related to a mental health disability or someone in crisis, that is a factor that police have to consider. Another aspect of the legal framework that I want to mention is the Americans with Disabilities Act with Amendments. This is commonly known as the ADA or the ADA. Um, the Americans with Disabilities Act also applies to police services, including arrest. And it means that police agencies have to accommodate people with disabilities when making arrests or providing services. This... the ADA was not relied on by the U.S. Department of Justice, in this case, for the Settlement Agreement, but it does apply to interactions with community members who have mental health disabilities.

And as many of you know, officers are trained to consider the mental health disability might be a contributing factor to what officers might consider to be potentially criminal conduct. And so when officers are engaging with somebody in crisis, they are expected and required to de-escalate and use the least amount of force possible, and reasonably necessary in the circumstances. Um, and so officers are trained often that somebody experiencing a psychotic break or other significant mental health issue might not respond to commands in a similar way to someone who is not in crisis.

And this is important because arresting someone, um, who's in crisis, and putting them into the criminal legal system may not be the best option for that person. It is often not.

They need mental health support, and jail is not a place that historically, and usually, helps people in crisis. Uh, the Settlement Agreement has many terms and paragraphs, and, um, many, many aspects of it address enhanced training for mental health, and for increased accountability measures. Um, this court... it is a court order. It is enforceable by the court, and it has been since December of 2012. Um, so I look forward to hearing people's comments, and I appreciate people's engagement, and that is a little bit of a framework that can help, hopefully, with a discussion that's going to happen tonight. So, thank you.

[PCCEP Listening Session] 49:56

Thank you. Thank you to our panelists for those opening comments. Before we move into um, public testimony, we're going to hear from PCCEP to share, um around us in the incident that brings us here tonight with a brief overview of the events. I'm going to pass it over to you Odelia.

[Odelia Zuckerman] 50:16

Thank you. Uh oh. They've lost audio online, by the way. Um, Can you hear me online? No? Oh no, ok. We'll just wait one second.

[Some one in the audience asked if PCCEP would be providing a transcript]

Well, this will definitely go online on YouTube.

[Odelia Zuckerman] 51:45

Open Signal's working on it for us. How about now?

Okay, the sound is back. Okay, awesome.

So once we get the slides, we can get started again.

[Odelia Zuckerman] 52:00

Okay, so... Um, first of all, thank you so much to... Uh-oh. Did it happen again?

Maybe that's just the projector. Okay, so sorry. Um... Thank you so much to everyone for coming, and to our Amici for sharing all that context, and to Ashlee Albies to the legal framework, um... Thank you all for being here and online and listening to all of this. I know it

can be a lot to take in. Um, and I just have one more thing to say, and then we're gonna move to open public comment. So... Um, we just wanted to provide kind of an overview of the incident that has brought us all here tonight. We've kind of discussed many different options as how to present this information, including playing the body camera footage, or showing a part of it, or just giving summaries, and, like, we've... we kind of really struggled with what to do, and just want to say we recognize that there's no perfect way to do this or describe this incident, or show it. Um, because it's highly triggering and... Highly subjective, right? And so... What we've decided to do is read a narrative of laying out what's occurred, um... And we kind of put this together based on PPB's press release, on viewing the footage ourselves, and then also external reporting done. Um, so I'm gonna read what we've put together. And then... show you all some framing questions, and then we'll go to open public comment.

[Odelia Zuckerman] 53:45

So, on June 27th, at 10.03 PM, three officers responded to a call in Kenton, at the 8500 block of North Argyle Way to check on the welfare of Damon Lamarr Johnson. He was, quote, reportedly acting in a concerning manner, flooding his apartment with water, and hanging knives out of his apartment window. End quote. As the officers were on route, they requested that Fire and AMR be staged. The three officers parked on the street and were walking up to the building while discussing if the knives were a threat to Mr. Johnson or others. The officers noted that the knives in the window would not fall on that category, and that the water was the main concern. They met the security officer at the building entrance, who they were previously in conversation with on the phone. The security officer shared that Mr. Johnson had moved into the building just a couple months prior, and they'd been having issues with him for a month. After the security guard took the officers into the elevator to the third floor where Mr. Johnson's room was, they were asking him a few questions about what he was doing, and if he would come out to talk with them. They notice he was cleaning his bed with a blanket. After around 4 minutes of standing outside of his room, the officers then enter Mr. Johnson's room and move some of his furniture. They approach him and reach for his arms in order to handcuff him. This is where we begin to see a physical struggle between the officers and Mr. Johnson that ultimately ends up with him on his stomach, on the ground, and the officer's trying to handcuff him. After a few minutes, the officers handcuffed Mr. Johnson while he's still laying on his stomach. One officer has his hands on Mr. Johnson's neck during this time. After he is handcuffed, the officers request two more units to help them transport Mr. Johnson. They also request AMR to sedate him. During this waiting time, Mr. Johnson goes unresponsive after a total of

approximately 7 minutes on the ground. Officers noticed this and turn him on his side and check for a pulse, in which they find a weak one. They request AMR. AMR then shows up a few minutes later, and asks what happened, if they can uncuff him. Officers say it's not a good idea, but to do it if they need to. AMR takes over, and three officers involved are told to leave the room and step outside separately.

[Odelia Zuckerman] 56:12

We are still waiting for the results of PPB's internal affairs investigation, and from the medical examiner, um, and just this past Monday, the District Attorney announced that there will be a grand jury on this case.

[Odelia Zuckerman] 56:28

So, now we can just go back to slides and. Um, these are just kind of questions if you do want to give open public comment that could maybe help frame what you're thinking or what you might say, um... And obviously, if your comment doesn't answer one of these questions, that's okay too. We just want to hear what you have to say or what you think.

Um, so our questions are,

- What policies or practices used in this encounter do you think should be examined more closely?
- Next question is, what role do you think body-worn cameras in PPB communications played in the public understanding of the incident?
- Third question is, how do you think other parts of the first responder system could provide better support in similar circumstances?
- And the last question is, how would you want PCCEP to represent community perspectives to city decision makers regarding this case?

So... Um, I will pass it back to our facilitators to start public testimony.

[PCCEP Listening Session] 57:39

Yeah, Kip, um, looks like we have you for the next slide.

[Kip Silverman] 57:48

That's the community standards? Uh, yes. Yeah. Just wanted to make sure.

Hi, I'm Kip Silverman, I'm... co-chair the... No? No? Okay. We just jumped to the end. Okay.

[PCCEP Listening Session] 57:07

So... It's just this. Okay.

[PCCEP Listening Session] 58:09

Um, so as we move to public testimony, here are the public testimony guidelines.

Please enter the queue by approaching to the microphone in person, or raising your hand on Zoom, and wait for the facilitator, myself, to call on you.

Um, limit individual comments to 2 minutes and 30 seconds. You may speak more than once, but those who have not yet spoken will be prioritized. Depending on the queue, um, we as facilitators will switch back and forth between the virtual and in-person testimony.

Nakia, who has a mic over there, will be in person, so, um, if coming to the mic is a challenge or not an option for you, Nakia will meet you with the mic there, and then I will manage questions and comments, um, here in the virtual space.

So, we'll go ahead and open the floor for... Comments, yeah. We have a... hand out there. I see 1, 2, 3, yeah.

[PCCEP Listening Session] 59:15

Can you hear me? Yeah. Are you ready? Yes.

[In Person Testimony - John] 59:24

My name's John. A couple thoughts. Um, and, watching the video and news coverage, um, a few things is... Um, I think one thing that's not talked about enough is... the... amount of ease that the general population has at calling the police. Um, I think that there is... I don't want to put blame on people, but I think that one thing that... our community could push for is community education. Um, and not, uh... trying to prevent or diminish the fear around things that maybe there doesn't need to be fear around. There was communication between the security and the officers about people being scared for their safety. And I'm

not gonna say whether they were safe or not, but from what I saw in the video, um, in that situation, I would... Of course, being a large man, it might be easier for me, but, um... to be able to address it myself. Or find alternatives to that. So that's my first thought. Um, second is that, um, I don't know if there was news coverage, but in the body cam footage, you could see that the, well, at least one of the officers actually drew his gun. Which I think is, uh, very concerning. Luckily, he didn't use it.

Most people know that there's. Pretty, uh, some pretty loud voices, um, out there that are attempting at the county and state level to make it easier for mental health holds via the police. And I know that PCCEP probably doesn't have much control over that, um, but attempting to be, uh... create as much pushback against that as possible. Um, because this is the result sometimes. Um... And, um... you know, pushing for, uh, prevention, uh, of officers ever putting anybody in the prone position, I think, is a... is a good policy to push for. And, um... I think... I think those are my thoughts. I feel like I had one more, but I'll... I'll be quiet there.

[PCCEP Listening Session]

All right. Thank you, go ahead, and to the mic.

[In Person Testimony] 1:01:51

Uh, thank you, whoops, are we live here? Okay, um... you know, it's been long, you know, this death is extra tragic in light of the 12-plus year road that some people have been calling. There are people in this room who go back to 2011, or who've testified on screen in 2011. Thank you to the elected officials who are coming in to get the word. Thank you both. Um, the, uh... And I can't... I maybe am burnt out with hope for the police department, so I think I actually want to highlight, uh, for a few seconds, a secondary thing. And, uh, that's what's happening with permanent supportive housing for people who are known to have whatever acuity for SPMI. I would have hoped... that that system would be good enough that, uh, you know, some of us have been in an institutional setting, and it's in our paperwork that we would get frustrated. We jam up our toilet, or our shower, and we flood the room or the cell. Um, and if we're giving competent, holistic care to people, that should be known, and you might choose to put that person on a first floor unit where you wouldn't have two other floors of people, maybe tempted to call 911 and say, hey, some guy above me is wiggling out and flooding the apartment above me, or next, you know, so... Um, when, uh, in addition to improving, fixing, or abolishing policing. There's still the issue of how do we do housing, uh, especially appropriate to people like uh, for whatever symptoms and

history Mr. Johnson had. And then, uh... You know, we're already in a little bit of a whacked situation with what justice and equity means in America. You know, wherever you are, the level of response you get. If you're driving as an unarmed person, the level of response for bad driving, is to send a person with a 9mm or a Colt 38.

Um, lots of countries don't need to do that. And so, uh... Again, not exactly on the issue of fixing the policing, but was definitely brought up. Um. If we were sending better people, we really wouldn't need to send our publicly financed - I'm assuming they use 9mm in the Portland Police Department - to people who don't have guns. That is inequity. Um, other police in other countries, uh, particularly. Hi, Trudy! Um... respond in kind. Um, they don't dispatch armed personnel uh, unless there's, you know, signs of acuity for that need.

Three elected officials. So, um... So we have, uh, the limited idea of, here we are in a PCCEP meeting, how do we, uh tweak, uh, somewhere between tweak and abolish the policing system to address that, but it's important, especially with, uh, elected officials in the room, that we also look at creating holistic supportive housing structures, uh, which won't ever call the police, um. I don't know enough about Mr. Johnson's personal history, uh, compared to my own, to say, you know. uh, what's his, uh, what's the SPMI, or the permanent supportive housing structure, at a place like the Starlight? A Near Pair, and others. We do know that sometimes that goes awry, too. There was an employee of Cascadia in the past couple years, who was killed by a client in a Cascadia Group home setting, so it's tough to balance, but uh. As the rest of y'all talk and focus on the policing issue, let's also remember. To give these people housing where they're maybe never, contractually not able to have the police called unless they shoot first. Thank you.

[PCCEP Listening Session] 1:05:49

Thank you. Uh, we're gonna go virtually, um, for a couple of hands that are up. Um, let's do Charlie. Yes, then we'll be back into the room, yeah. Go ahead, Charlie.

[Charlie Michelle-Westley] 1:06:13

Can you hear me? Okay, very good.

[PCCEP Listening Session]

Yes.

[Charlie Michelle-Westley] 1:06:16

Um, let's see... I didn't prepare anything, I'm just... gonna be speaking from, uh, extensive lived experience, um. As a, uh, uh... many decades, witness to target a victim of, and survivor of police excessive and deadly force, um. Where I have survived being shot at by them. And... and so I just wanted to... to... to share about those many decades. Uh... of witnessing this and experiencing this, that... I have seen very little progress. Um... Okay, well, here we are with Damon Johnson, right? And, um... this shouldn't have happened. What's the first thing he asked? Am I gonna die? That speaks volumes. That speaks about how, especially BIPOC, especially our Black community members. Uh, that might be one of the first things they think. Am I going to be killed? And we keep trying to create and reform and... and change policies and do all these oversight committees and... advisory committees, and it just continues to seem like they find ways and loopholes to prevent from being held accountable. Hopefully the CBPA will come up with something. I was on the Police Accountability Commission, I'm on Copwatch, and I'm on the list for the CBPA. But it's... it's just heart-wrenching, and you just keep wondering, like, what are they going to do to not have to allow the CBPA to work? It's very concerning. And...

So last year, I was leaving the Saturday Market and witnessed, uh, multiple cops. Uh, they were going after a small stature, young Black woman in an obvious mental health crisis, and she had a stick in her hand, and it looked like the type you would toss for your dog. And... and this one cop, he was just this huge guy. He was pointing his gun at her, and he was spitting. He was so angry. In telling her to drop that stick. I mean, he was just like, furious. And... And if it wasn't for me and my comrade there. Because I was like, we're gonna watch her get shot. I had no doubt in my mind. And my comrade was like, oh, hell no. He walked towards her, and then they started hollering at him, but he was like. Hey, baby hot doll, hey, sweetheart. Put the stick down before you get hurt. And she put the stick down. And started crying. Now, I don't know what happened to her after they... got her into their car. But this is... this is still going on, to this very day. So, what are we... what do we want?

[PCCEP Listening Session] 1:09:56

Charlie? Could you just go ahead and wrap up your thought? We want to make sure we get the other hands.

[Charlie Michelle-Westley] 1:10:02

Yes. Yeah, yeah. I just want to say that, um. To wrap it up, um... We need more pressure on alternatives. Uh, to... to the... to the police showing up. Um... We need to work harder on that. And, um... Yeah. I have so much more to say, but... and work on some anti-racism as the number one priority in the trainings, uh, long-term, because it's systemic. It's systemic, and that's what we're seeing.

[PCCEP Listening Session] 1:10:39

Yeah. Charlie, you may raise your hand again, and as we go through, um, you... there is opportunity for you to speak again.

[Charlie Michelle-Westley] 1:10:46

Thank you.

[PCCEP Listening Session] 1:10:49

Yeah, thank you. Uh, Sophie.

[Sophie Ciurlik-Rittenbaum] 1:10:55

Hi, thank you. So, I just wanted to point out the reason why there's, you know, no fund... that... A PSR isn't 24/7, is that it's not funded for it. Portland Police Bureau has a budget of \$295 million currently, I believe, and the City Council just voted to increase it while they're cutting the budget for everything else. Parks and Rec, community centers, everything else is getting cut, but, you know, there's more money for policing, always. Um, so Portland Police Bureau has about \$295 million. Um, and PSR has a budget of about... of under \$10 million, so it's operating on the shoestring budget compared to the police. Um, so if we just diverted even some of that money, it should be plenty. There would be so much left over to expand, um, if they upgraded to a full fleet of PSR and CHAT, um, the other mental health response.

Um, there would also be an... money to end Portland's homelessness crisis multiple times over. Um, I've done the math on that, um, I've... based on the, um, bond that was issued to build, um, affordable housing, and a lot of this housing has mental health support and drug

addiction support baked in. Um, as part of the housing, you could build so much more of that housing and end, um, homelessness, even if you go with the largest estimate of homelessness in, uh, in... the county, in the tri-county area of about 8,000 people who are homeless. That 8,000 number is from the one, like, the three, One big count, um, and of course, that's an undercount, but even knowing that's an undercount. That is, uh, enough to end homelessness, and I say it's an undercount because it's just people going out and seeing how many homeless people they find. Obviously, some people are in temporary shelters, hotel rooms, couch surfing, but even if you round that up, it's enough to end the homelessness crisis.

Um, and as others have been saying. Um, the answer is just ending contact with police. It is... if we're not abolishing police in this meeting, it has to be towards non-reformist reforms. Um, reforming the police does not work, because there is no enforcement body against them. They are the ones with the guns. That is why they break... okay, this is a court-enforced order. What does that mean when they are the armed hand of the state? That means nothing. And they know that, which is why they keep killing people over and over and over. And we are going to see it as long as we keep funding them to do so. Thank you for... thank you for my time. Um, if I'm allowed to speak again, I can pull up the numbers. Thank you.

[PCCEP Listening Session] 1:13:31

All right. Thank you, Sophie. We'll go ahead and go back to the... In person. In person. And as you come up to the mic, just keep in mind, we want to make space for as many voices as possible to be heard, um, so we have a two...

[In Person Testimony – Julie Winters] 1:13:43

Hi, everyone. My name's Julie Winters. 9 months ago, the exact same thing happened to me as happened to Mr. Johnson. We were in different situations. I had broken an axle on my car. I requested police presence, because I wanted them to call an ambulance, because the public safety officer refused to do so. I was not a suspect in a crime. And I had broken no laws, I didn't even get a ticket for the accident. But what I did get was that Max Frund. And Henry Vesend beat me until I was unconscious. Didn't have a pulse, and was not breathing. They then called the AMR ambulance, who came and shot me with ketamine against my will. I woke up in Legacy Emanuel, with a Jane Doe tag around my wrist. Naked on a gurney, not even in a... gown or anything like that. Nine months ago, this happened. I still have not been provided a public defender. I offer... I needed one immediately. I have not

been provided one. You may have heard my name, you may have read it. For something else recently. We're not going to get into that, but that happened a lot because... Not having a public defender when you are charged, and you know what happened, and I have the body cams to prove it, if any of you want to see them. They're on my, uh, Instagram, at Julie underscore Jungle Queen underscore 138. Officer Frund punched and kicked me in the head. More than 17 times in under 30 seconds and the Independent Police bureau, er the Review decided that this was justified. I don't know what to do about this situation, because... For some reason, I survived. I don't know how, I don't know why. But the exact same thing has happened to this... Poor gentleman here happened to me. And this is what the police do. They cover it up by not giving people public defenders. If I... they keep on kicking the can down the road every 3 months, they charge me with assaulting the officer that murdered me. And then the entire department covered it up. Christina Serrano. Sergeant Schaff. Sergeant Maxey. All of them covered it up, and they are continuing to cover it up, and they will not let me go to trial, because if I win my trial, I can sue them. They have no evidence of me doing anything wrong. Thank you. And... This needs to be addressed. I have to go back to court on Monday, where they're probably not going to give me a public defender again. Thank you. Stop the police, defund the police.

[PCCEP Listening Session] 1:16:29

Appreciate your, uh... your comment. Is there another in-person comment. All right, yeah, come on up, and then we see you're in the back, so if you also have a comment, you can come up here and sit in the front seats there, so you can get to the mic a little bit quicker. Um, and then after this comment, we'll go to, um, a virtual comment. Go ahead.

[In Person Testimony – Casey] 1:16:53

Uh, hi, my name's Casey. Um, I... I'm actually a case manager, and I work at the building where Damon lived. Um, I was not there when it happened. Um, I did not know him well. I did. He was on my caseload. I didn't interact with him, um, much, but he was always very soft-spoken. And there, you know, we had a lot of concerns. Um, and we're... The system overall failed him. Our organization included, the housing, everything, the red tape. Um, and obviously, most of all. The police. Um... We have a pattern of police responding to our property. It's a low-income property, with using force and being impatient, and... showing a pattern of really concerning stuff with folks who are extremely vulnerable, mental illness, physical disabilities, chronic homelessness, etc. Um, and yeah, like John was saying, like, this was a call. Police never should have responded to. Um, he was not a threat to anyone.

He was not... I... have spoken to people that were present. He was not threatening anyone, um, it should have been mental health providers, so... Just... police should not have responded to that incident, and... My sincerest condolences to Damon, family, everyone that knew him, community affected. Thank you.

[PCCEP Listening Session] 1:18:15

Um, next we'll go virtually. Yeah, yeah, we'll do virtually, then we'll be back in person. Um, I see a hand for, um, Samsung, um, is your, um, handle... In the chat, you may... Um... You may speak.

[Virtual Testimony – Amanda Rose Prezioso] 1:18:42

Great. Hi, um... I'm hoping I can... this... can you hear me, I guess, is... I'm hoping that you can hear me.

[PCCEP Listening Session]

We can hear you.

[Virtual Testimony – Amanda Rose Prezioso] 19:15:33

Okay, perfect. Hi, I'm Amanda Rose Prezioso, and... Uh, I'm a licensed clinical social worker, actually, in North Portland, in this... is... it triggered me so much, because I'm like, this is a client... this is a client, and I want to reflect on what that last previous case manager said is. This is a systems failure. Um, and I have been mulling over, um, all of what I can do, because I want to go into action. Because my first question when watching that video and going through, like, I put myself in that situation because I've been in that situation in various. Various, um, scenarios, and I put myself there with them. And it's a... I'm like, the police... what training... what training do they have in mental health crisis? Because sometimes the police are going to be there. To say that no police ever is unrealistic, because sometimes police are gonna show up.

And it's like, I want to make sure that police's officer is acting competently to work with diverse people. And neurodiverse people, people with severe, persistent mental health needs, and it's like. I think, what is a training that they have had in crisis intervention? What kind of training are they going to get going forward? They need to have some base level, and

if they can't, then they need to make sure that they have someone there with them who can? And that made me need a rehiring of police, and I've always been an advocate on police social workers. Um, with that being said, with the Portland Street Response team, most definitely we need to advocate for 24/7, and I am willing, and I've... talked to my spouse, and I've offered to be a volunteer for mental health crisis in my neighborhood. I'm like, I can work from 10pm, that's my time, my child is in bed, my husband is there, I can volunteer, I need to stand up and speak up and speak out, because it's like, that is my neighborhood. That is a possible client, and I can do whatever I can. I would like to volunteer, because I think I'm reflecting on what other people are saying. Like, a community, like, neighbors, how can we better, um, you know, address these problems before we even have to call the police, right? And I know I spoke, pre-pandemic, I spoke with National Alliance Mental Illness in Vancouver. The program director, and she brought up, um, these pocket communities and basically training neighbors in first aid mental health crisis, just basically giving them, neighbors, the tools to, if they need to, to address these crises, at least to be able to wait until someone more appropriate can answer. Like, maybe it is AMR.

Um, or there may need to be further follow-up, but at least gives neighbors the tools to better intervene. Um, and I really like that idea of, like, breaking it into a pocket community, and then better training, um, our neighbors. So it's like, how... I want to be a part of the solution going forward, and so I'm going to continue to put it out there. I'm willing to volunteer. I know firefighters volunteer, and I know... yeah, so, um, thank you. For this space, and for all the work that everyone is doing out there, um... And I just want to hold space for his family. Thank you.

[PCCEP Listening Session] 1:22:00

Thank you, Amanda. Uh, next we'll go to Karen, but right before we go to Karen, just a reminder for those who are virtual, Um, we definitely see the questions in the chat and the Q&A area. If you would like to put that question out in space. Um, please, uh, make sure you, um, join the queue by raising your hand.

Okay, go ahead and, uh, go ahead, Karen.

Karen, you'll just have to unmute yourself.

Okay, while, uh, while we're waiting for Karen to get, um, unmute, we'll go to someone in person.

So, go ahead.

[In Person Testimony – Javier] 1:23:12

Hello. Hi. Sorry. Um, my name is Javier. I have worked in social services for the last 5 years. I have been a case manager, an outreach manager. I do residential support, um, currently, and I've worked in mental health as well. I'm only bringing that up just to say, as an example, that myself and my coworkers, every single day, respond to situations or crisis like Mr. Johnson's. You know, 5-6 times a day, and none of us kill people when we do that. Not a single time have we murdered someone while responding to those situations, and none of us make \$100,000, \$200,000 a year. So, it's not an issue of training, or salaries, or retention. Um, specifically, I want to push back on that aspect of people's recommendations here. Um, this is not a training issue. The Portland Police Bureau is one of the best-trained departments in the country. They've repeatedly proven that this is not a training issue. They... the way Mr. Johnson was treated, right, we're talking about it because he died, but people get treated like that by this police department every single day, right? And we don't talk about them because they don't die, but Mr. Johnson happened to die. Um, they... I think there needs to be a clear understanding that, um... modern policing is rotten to the very core. Um, there's no amount of reform you're going to make that's gonna make a racist from Lake Oswego suddenly value your community. There's just... there's nothing you can do to change, um, the innate... behavior that this institution has bred in these folks, and you can lie to yourself all you want, but... Um, it's very clear that they don't care about our community. I mean, they just fought the entire budget session against, taking a pay cut like everyone else in the city is doing. That's clearly a group that doesn't care about our community, and every time you... launder their behavior by suggesting that they just need more training, that they just need a little bit more understanding, a little bit... It's ridiculous. It's ridiculous. Nobody else, no other profession gets away with killing people, and, you know, gets excuses made for them on the level that we see for policing. Thank you.

[PCCEP Listening Session] 1:25:29

Thank you, Javi. Go ahead.

[In Person Testimony – Philip Chachka] 1:25:37

Hi, my name's Philip Chachka, I'm with Portland Copwatch. Relating to trainings, all three of the officers had crisis intervention training. That's about 20 hours. One of the officers

involved had enhanced crisis intervention training, which is about at 24 hours of more training. So, they are well-trained and... and shouldn't... this shouldn't happen. Um, uh... if Damon Lamarr Johnson hadn't died, would we know the harmful decisions the police made that night? With the supervisors have held them accountable, if Johnson had not died. Or is this behavior acceptable to the PPB? Damon Lamarr Johnson didn't have to die and shouldn't have died that night. Mr. Johnson needed help, and the other residents needed help, so the police were called. The police bureau did not help Mr. Johnson. Uh, the following are some of the harmful choices made by PPB that night. Choosing not to wait for an apartment manager who was on the way. Choosing not to listen to or seek additional information from witnesses. Choosing to believe they had all the facts they needed. Choosing to believe they were qualified to assess and handle a man showing signs of mental illness, rather than be calling the behavioral health unit or conferring with the supervisor. Choosing to endanger themselves and Mr. Johnson by entering his room when they are free to talk and negotiate from the doorway. Choosing to escalate when there's no immediate threat or reasonable suspicion of a crime. Choosing to use force rather than continue verbal negotiations and de-escalation techniques.

Why did the police feel the need to escalate and rush the negotiation and de-escalation process? Were they impatient and inclined to resort to brute force rather than rely on training and common human decency? The City of Portland and the Portland Police Bureau have a lot to answer for, and have proven this month they are a long way from achieving a police burial free from brutality. The DOJ settlement agreement was designed specifically to prevent Mr. Johnson's death. Prevent the use of excessive force used against him to prevent the violation of his constitutional rights.

The City of Portland through the Police Bureau failed Damon Lamarr Johnson, failed the people living in mental health... illness in this city, and failed the entire community again.

[PCCEP Listening Session] 1:28:08

Thank you. We'll return to hands raised in a virtual space, um, Karen, are you able to come off mute now?

Okay, so we'll go ahead and go to, um, Daniel. Can you go...

[daniel blachowski] 1:28:34

Hi. Yes, hi. Um... Um, I work, uh, as a crisis first responder in Multnomah County, and I'd like to thank everyone for hosting this, uh, listening session related to the senseless

tragedy... Um, and, um, death of Mr. Johnson. Um, I'd also like to remind everyone that Multnomah County has... a crisis line and a crisis team that can respond and does regularly co-respond with Portland Public, uh, the Portland Police Bureau. Um... Project Respond is, um, a 24/7, 365-day, uh year, um, organization that responds to crises and specializes in this, and often, uh, co-responds and, uh, gets pages through, um, directly from officers and through BOEC. Um... I don't understand why Project Respond wasn't called. Um, yeah, thank you, thank you everyone for, um, holding this space.

[PCCEP Listening Session] 1:29:43

All right, thank you, Daniel.

Um, Rob Allen, I know that you had your hand up, um... Um, a few moments ago, do you want to re-raise your hand so that we can take you off mute? There we are. There you go, Rob. You should now have the ability to unmute yourself. So you will go and find your mic, and then you select it to unmute.

[Elizabeth Allen] 1:30:43

Am I unmuted? Okay. My... my frame of reference is that I went to nursing school 50 years ago, and we were taught that that position was dangerous, that a lot of people put in that position would die. The police use that position without believing that people are going to die. So, I'm interested in the question from two angles. How often do police put people in that position, and why is it that they don't believe people will die? That's what we were taught in nursing school, and that was 50 years ago. I'm... I'm done.

[PCCEP Listening Session] 1:31:26

Thank you, Rob. Alright, we'll go in person. Go ahead. Go ahead and step to the mic. Yep, you, Ashley.

[In Person Testimony – Ashley Schofield] 1:31:39

Hi everyone, my name is Ashley Schofield, I use she, her pronouns. I'm a former PCCEP member. Um, thank you guys so much for providing this space, as always. Um, before I started, I just actually just want to acknowledge how much work was put in by the community to even have this space. How important it is that we are able to meet together

and listen and have recommendations go to the mayor. Um, so this is a little bit of a plug to call your counselors and tell them to, um, codify PCCEP as soon as possible, because it's really important that we continue to have this community space to talk out loud, uh, with healthy discord about these really, um, awful tragedies.

Um, one thing I wanted to share, um, in terms of some of the questions you had posed. Um, as a PCCEP member, I was, um, invited to attend, uh, police, uh, community, Community Police Academy. Um, it's offered to community members who are in this space. Um, to go and see what the training is like for PPB officers, and so we got a little history, we had to, like, get all suited up and carry a fake gun. It was the whole deal. Um, that memory, that experience has really stuck with me as a PCCEP member and as a community member. Um, their training is really about protecting themselves. Their training is about, uh, uh, reacting to a reaction gap, between danger and their lives. I'm not saying that's not important, but I'm also saying that I'm confirming that they're not out there to protect us. They're not out there to put their lives in front of us, in front of... to protect us.

They are protecting themselves, and that's exactly what happened. To Damon. Um, they felt a danger, and they used full force on him, and it was wrong. Um, I think that PCCEP should, and counselors who are in here, thank you so much. Props to us for, uh, creating a new charter, so we actually have counselors who come and listen to these kind of things. Um, but something I think PCCEP and the city should be considering is we should be doubling down on what Chief Day has, uh, already said. That this shouldn't have happened, that this force, there should have been a different response. So, let's see that in money, let's see that in money training transfer for PPB over to PSR. Uh, that's what we're hearing today. Training is not enough. Um, we need different responses, and we have a good system, and we have one that's been practicing. And so we need a city that's going to keep investing in that so that this actually doesn't happen anymore. Thank you.

[PCCEP Listening Session] 1:33:59

Thank you, Ashley. Go ahead.

[In Person Testimony – Amber] 1:34:08

Hi, everyone. My name is Amber, and I'm looking for the timer, because I can just talk. Well, I am... okay. Uh, I'm with the Unite Oregon, um, she, her pronouns, and we are an abolitionist statewide organization. And we are an abolitionist organization specifically because of issues like this, because we're fully aware that our police are... Always having

active genocide on Black and Brown bodies. We know that there's no amount of training that is going to change that, and we're particularly concerned, looking at the footage, um, of this recent death around how many times. Mr. Johnson advocated for his own life. While there was a hand on his neck. While he was being pushed into a wall. Um, we are deeply concerned that there are police in charge of, um, consistent genocide on black bodies. And so, I do want to also, just, um... question around, would it be called a death in custody if they hadn't got the handcuffs on him? Um, we, as an organization, are pushing for funds to be pulled from Portland Police Bureau, and reallocated to communities that actually have training to support people, um, meeting them where they're at, at whatever mental state they're in. Um, and I would say in... oh, I'm doing a great job. Um, time-wise.

I would say, in general, that we are looking at safety, um, from the lens that it really doesn't exist and so, we understand that communities really can create the pathways to safety by supporting one another, sharing our resources, and equipping one another with education. Um, these aren't things that police ever will care about, will ever do, and so, um, again. As, um, as we work at Unite Oregon, we just want to invite you all as community in to continue to shift the narrative around how we support each other. Thank you so much.

[PCCEP Listening Session] 1:36:22

Thank you. Okay, Sophie and Charlie, we definitely see your hand raised, please um, keep your hand up, but we're gonna go to Kat first, because we have not heard from them yet.

Uh... go ahead, Kat, you should be able to unmute yourself now.

[Kat M] 1:36:38

Hi, yeah, my name is Kat Mahoney, and apparently, I am the anarchist attorney of Portland. Um, but I want to speak out about what happened to Mr. Johnson. It wasn't just wrong, it was deadly, and it reflects a long, painful history of PPB responding with violence to people in crisis. Damon said, I surrender 6 times. He was begging for help, he was not resisting, and instead of helping him, PPB held him down, using prone restraint. This is a tactic that is dangerous when somebody is overwhelmed by adrenaline and terror. Pinned face down, unable to breathe, disoriented, this kind of a strain can shut the body down. It's not just traumatizing, it can kill. And I know how that feels when I was arrested, I was face down on the pavement. My heart was racing. I was completely overwhelmed by shock of adrenaline. I couldn't comprehend what was being yelled at me, and then I was slammed against a riot van, and I couldn't respond to any of the commands, not because I was resisting, but

because my body had gone into survival mode, a reasonable person cannot comply under that type of terror. This is not isolated. We have, from 2004 to 2019, PPB has killed, what, 20 people with mental illness, and in a decade before that, every single fatal shooting from 2006 to 2019 involved somebody in a mental health crisis.

There's a reason we have this DOJ thing going on. And this is why we need... we need Portland Street Response to be available 24/7. Mental health crises don't respect business hours. Sending cops who are not trained in this only adds to trauma and risk. PSR are trained to recognize panic, to communicate calmly, and to keep people alive. Mr. Johnson didn't need police, he needed care. He said, I surrender six... times, and he got violence in return. We have to cut back on police involvement in these types of things. We have to center humanity and not handcuffs. Thank you.

[PCCEP Listening Session] 1:38:33

Thank you, Kat. Uh, Sophie, still see you, go ahead and keep your hand raised, and we're gonna go to some, um, in-person, um, comments.

So, if you're ready to speak. Yep, step up.

[In Person Testimony – Angela Hayette] 1:38:49

I'm never ready. I honestly, I say this every time, I hate public speaking, but I continue to do it. Uh, because I need to. Um, my name is Angela Hayette. I can't speak without crying, to be honest. Um, I'm from Warm Springs, Klamath Falls. And, um, I was adopted. I'm really lucky to have been raised on those traditions, which are community-based traditions. Um, and to care about people, and so that is why I continue to do what I do, because I can't stop it. Um, I wanna... say that, um... My kid is trans, and my kid has also struggled with mental health care. Um, from the time that they were about... 10 years old, um... They had been struggling with a lot of different things. Um, basically, they've been diagnosed with probably, I don't... I can... maybe 20 different diagnoses, and that the medication, that's multiple different things. Um, the medication can give you side effects that can have them do a diagnosis that's not your actual diagnosis. And so on and so forth, and that's just how it is. The mental health care system is not easy to... navigate. Um, as a parent, that was something that was a top priority for me, because I knew, and I still know, my kid is 21 years old, and we still have this conversation today. That I had been put in a position to care about your life when you don't.

So when you don't care if you're alive or not. That's gonna become my responsibility, and I still take that responsibility to this day. I can't untrain myself from that. And I have always had the fear. My kid was still brought home in handcuffs when they were young, like, for a mental health care crisis. I'm lucky they were brought home. My kid is... been diagnosed with an adversity to police from their therapist. Literally. Diagnosed with an adversity to police from their therapist, because of the treatment that they have received from the police. The non-compassion and... Believe me, we turn down therapists. We know... we know what it looks like when we're receiving the care that we want to receive. We've gone through every, basically, every... healthcare system, or every mental health care program that is a part of Oregon for teenagers. And now my kid's an adult, and now... I'm at this point. And here we are. And I can't help but shake the fear that that's gonna happen. And so here I am, speaking about that. I just really hope that we can get more mental health care, in Oregon, that is the main point, because. When you don't care about your own life. You are at risk. And you need someone to care for your life, and that is the most important thing. Thank you.

[PCCEP Listening Session] 1:41:55

Do we have any others in person who'd like to speak?

[In Person Testimony – Marc Poris] 19:38:51

I'm Marc Poris with Portland Copwatch. Thank you for... for having a session so that you could hear from the community. It's greatly appreciated. Um. Mr. Johnson should still be alive. I think any three random people in this... in this room that would have responded. We would have done a better job, and Mr. Johnson would still be alive. Um, in the edited video, that the Bureau put out, which is narrated uh, by a sworn police officer. Uh, the body cam video cuts out while the cops are en route, um, and the Bureau continuously claims that they're a learning institution. Uh, but... but you lose the opportunity um, to learn when you... have a policy that limits collection of evidence, so... I think one of the prompts was policy change? It feels like you should want to collect that evidence.

[In Person Testimony – Marc Poris] 1:42:10

Uh, just reflecting on what I heard from Dr. Silver. Um, the training... I think Dr. Silver mentioned the training for ECIT, 911, and PSR should be available to the public. And some other folks have said, you know, we could go to... Um, the Community Policing Academy, or

whatever. Why can't we just put those videos up on the website? I mean, how complicated is that? And finally. Uh, this one's a little hard, so in the Skanner article that came out today, and I'm not sure... when Chief Day said this, but... Here's his quote. "There could be something in the future where there is some type of co-response model where that would be appropriate. It's something we're open to and we're willing to consider." I think it's a little late, dude, like... what are you waiting for, man? Come on.

[PCCEP Listening Session] 1:44:28

Thank you. Now, uh, we'll go ahead and go to virtual. Sophie, go ahead while unmute you, or you can unmute yourself now.

[Sophie Ciurlik-Rittenbaum] 1:44:40

So I wanted to turn to the question of body cameras, because I know that's one of the framing questions, and, um, before I was an abolitionist, I was a reformist and a liberal. As I'm sure it's been the pipeline for a lot of people here. Um, particularly other white folks here. And, you know, I used to think, like, well, there's this great tool for accountability, right? Like, you can see what happened, and there will, and this is gonna reduce, um, killings because cops will know they're being watched, and that just hasn't empirically panned out. What happens instead is that cops then use body camera footage as incriminating evidence against people to lock them up more. um, to further criminalize people. They also turn off their body cameras when they find it convenient to do so, and there aren't really consequences for this, because, again, as I've pointed out, they are the armed hand of the state. Throwing more money at the kill Black people machine to try and make it kill less Black people doesn't make any sense. We need to be putting that money into actual community care if we want to get community care. Putting more money into the kill more Black people machine will always be just exactly what it is. There isn't any way around that.

Every dollar that we spend on body cameras is a dollar we're not spending on PSR or CHAT. Every dollar we spend on policing is a dollar that we are not spending on PSR, CHAT, Parks and Rec, Parks and Rec, public transit, things that actually help our communities. Um, and since I've got the time, I thought I would go over some of the money. Um. Oh, also, there's... there was this big, um, hullabaloo in 2020 that we're defunding the police. That never actually happened. One, because police got paid so much money in overtime for policing protests than they spent the same money, and they just increased the budget every year since 2020. There has not been a decrease in police budgets since 2020, despite all of, um,

the protest efforts, and despite all of the media coverage, saying there had been a decrease, there just wasn't. It has gone up every year.

I'm so sorry, my computer got stolen, which is why I had the, uh, where I had my file originally saved. Um, and I didn't call the police because I was really scared that they would kill the Black man who stole it, and I was like, computer's not worth it, so I'm trying to get the file to load for me. Um, as I sent this, uh, it's a PDF to someone else, and it's not working. I'm so sorry. It was working right before I was testifying. Technology hates me.

[PCCEP Listening Session] 1:47:02

It's okay, Sophie. You could take a moment and gather the documents you're looking for and re-raise your hand.

[Sophie Ciurlik-Rittenbaum] 1:47:12

Well, I appreciate that, thank you.

[PCCEP Listening Session] 1:47:15

Yeah. Um, Charlie, we definitely see your hand. Um, we'll go to Pastor Weiser, and then when we come back, we'll come to you, Charlie. Thank you for your patience.

Uh, go ahead, Pastor Wisner.

[Pastor Robin Wisner] 1:47:27

Hi, I'm Pastor Robin Wisner. I'd like to address. Uh, the third bullet point. Uh, where it speaks on how do you think other parts of the first responding system could provide better support in similar circumstances? Uh, the last few speakers spoke very well in the areas of what it is under medical conditions, and understanding commands at that point. Uh, what came to a point to me in an example, is on a playground, when you're on a spinning little miracle-round, and it spins real, real, real fast. But when you get off that miracle-round, and you're in that spin. No matter how much forward you try to motion, you're gonna wobble, you're not gonna be able to follow through what your conscience is. When you don't understand the medical conditions that a person is experiencing at the time of their condition? I speak to a situation where I had guns drawn on me by sheriff's department.

Where my sugar had dropped to a tremendous low. When I was asked to get out of the vehicle. If I had not had the official training and understanding of what was being responded, even though my sugar was low. And I... at the area of, I believe it probably was about a 49, maybe 50? There's confusion, and anyone to understand low sugar, how you're able not to respond because of confusion. These are the things that I think that more. Provide better services, for the responders to understand, dealing with circumstances of medical response as well as it is when you're trying to resolve a situation such as going into an area and not knowing fully how to help a person under those conditions that I tried to explain just now. Thank you, and that's pretty good for 31 seconds left.

[PCCEP Listening Session] 1:49:30

That's great. Great job, Pastor Wisner.

[Pastor Robin Wisner] 1:49:36

I know you love that. Good hearing from you, and thanks, everyone.

[PCCEP Listening Session] 1:49:46

All right, we'll return to, um, in-person comments. I'll go ahead.

If there are no new speakers, then you can speak again. Go ahead.

[In Person Testimony] 1:49:58

Um, we occasionally touched on some of the prompts, and I do want to... go back, uh, so... It's kind of ironic and open, you know, what policies or practices used in this encounter do you think should be examined more closely? Why didn't the police just go the fuck home? Where's the level of threat? Um, or action... I mean... I will just let that hang in the air and go on to, uh... the, you know, the gentleman in the tie cited a remark, from the chief of police saying, like, oh, maybe now they've said that they're ready to look to co-responders. Um. Let's consider if maybe in the recent history of the City of Portland, the Portland Police Association was ready to shoot us for creating Portland Street Response. So, regardless of whether the non-PPA different union of police, and I think the Chief can't be in any union, I don't know where the middle management union is, but... Um, you know, we won't even be able to get co-responders, um, or an alternate responder, uh, unless, by some miracle, the

frontline police, the Portland Police Association decide to let us. Um, and that's a very interesting situation, that one unionized group of people in the city of Portland with guns can protect themselves from pay cuts and service cuts, and every other branch of the city cannot. So... Um, I was glad to hear, uh, the woman from Unite say they have an officially abolitionist position. And it doesn't matter whether that, uh, you know, there's many routes to that position. One is, you know, just quickly, radically looking at, you know, the long-term harm and institutionalized racism, uh, but the other is just like, this is the 12th year-ish of a thing, and... nobody's running around with beautiful data saying anything clearly has gotten better. Um, you know, there's maybe some disputed data, some fuzzy data that we can be like, oh yeah, it's okay, we should keep doing this. Um. And, you know, even somewhere where some of the energy is gone, you know, at the beginning, we had Dr. Rochelle Silver. Oh, I've turned red. The co-op, so I'll stop, and hopefully Charlie Young, the remote come in, others.

[In Person Testimony] 1:52:43

Hi, um, one thing that I've heard lots about is funding and lack thereof for PSR. Uh, but one thing that I haven't seen, and if it exists, I'd love to see it, but if not, I'd like to ask the City for it, and that is an analysis of how much gets spent on PPB, uh, for calls that could be sent to PSR instead. Um, I think it would be wonderful to see what those numbers are. Thank you.

[PCCEP Listening Session] 1:53:09

Thank you. Okay, um, virtually.

Uh, go ahead, Charlie.

[Charlie Michelle-Westley] 1:53:22

Okay, thank you for letting me... speak a little bit longer, uh, just that, again, I have decades of experience that it's pretty horrific. But anyway, I want to say hi to Angela. Love you, much love. I am also a tribal member, the Confederated Tribes of Grand Run, of many Northwest tribes of this area right here that we now call Oregon. And FYI, if y'all didn't know that Indigenous folks are killed by police at a much larger rate than, uh, even our Black brothers and sisters and a lot of our women. Uh, anyway, um, so I, I... Totally heard that one speaker talk about, like, no, there is no effective training. And it appears so, you know? It took me, um, 5 years, uh to get my degree. Uh, so that I could treat alcohol and drug, um patients

and, uh, prevention. And 40 hours does not qualify anybody to address our mentally ill folks. Um, it's probably just another one of those performative things, by all accounts. And, um, you know, they talk a lot about probable cause and reasonable force, um, but what that seems to equate to is probable cause is if you're Black, or if you're Brown. Or if you're Indigenous, or if you're another marginalized person. Uh, you are targeted, and then they will find. Or find something to charge you with. So, there's so much that needs to be changed. And this is an extremely extensive, uh, systemic issue back when there were slave patrols. And it's called something different now. It's called... public safety, of all things. And until we started addressing the systemic issues of policing, uh, it continues to be a racist, uh, uh, uh system. And no one wants to talk about that, no one wants to address that. It's basically racist white supremacy, in action. Constantly. And it's not even being screened for. I mean, we've had KKK members. And we still have... some white supremacists in the force. When is that going to be addressed? And that's a long-term healing process, not a training.

[PCCEP Listening Session] 1:59:03

Thank you, Charlie.

Next, we'll go ahead and go to Megan.

[Meghan Formel She / Her] 1:56:14

Hi, can you hear me? Thank you. My name's Megan Formel, I use she, her pronouns, and I'm an early elementary educator, and um... In education, we also have a lot of problems with disproportionate punitive punishment against our Black and Brown children. Um, so the way that Vancouver Public Schools has worked on that, and that's where I teach. Um, was not by, thank God, arming the teachers. But by bringing in more adults that were there specifically to help children when they were in crisis. So, if a child was having a meltdown in my classroom, um, I could call... and have another adult come and breathe quietly with that child and help them ride the escalation cycle until they were all the way down. All the way ready to move on. Um, we created a room with privacy for children, so that if you're having a meltdown, we can safely get you into that room, your dignity is maintained. Our school also tracked every single time I called for help and what child I was calling for help about. They also tracked things like, did that teacher need to... take a water break, or a bathroom break, and... you know, just tracking that data, looking at it as a school, putting things into place, making sure we're all on board. Um, I'm not saying that to suggest that the police need more training. We need fewer police. Hopefully zero, but saying that putting

these other things in place and prioritizing them, and bringing the money for them, and helping people, these little tiny people, to maintain their dignity um, when they were in crisis. It's hard, but it's been successful for us, and that's my comment that I would like you to take back to our Mayor. If we can do it for 5- and 6-year-olds, why can't we do it for um, the adults in our community. Thank you.

[PCCEP Listening Session] 1:58:19

Thank you, Megan. We'll go ahead and go in person.

[In Person Testimony] 1:58:24

Uh, thank you for, uh, hosting this listening session. I wanted to respond to the prompt. How would you want PCCEP to represent community perspectives to city decision makers regarding this? And I would want PCCEP to convey what seems to be a near-consensus that budget is central to this tragedy and PSR and CHAT must be fully funded. Um, additionally, I think it's important to note that Chief Day said, quote, this is not who we need to be going to these calls, end quote. Yet consistently opposes reallocation of police funds to other critical parts of public safety that wouldn't have resulted in this preventable killing. Thank you.

[PCCEP Listening Session] 1:59:06

Thank you.

[In Person Testimony – Councilor Angelita Morillo] 1:59:09

Hi everyone, I won't take up too much space because I'm a Portland City Councilor, and I have a lot of platforms to speak, but um, I would be remiss if I didn't say that Damon Lamarr Johnson deserves to be here today. That the loss of his life is a huge tragedy that was absolutely preventable, and that this, this is a failure of our systems. I also want to address a few things. I worked in Commissioner Joanne Hardesty's office when she first started Portland Street Response. She was the first Black City Councilwoman. She dealt with an immense level of backlash and it was nothing but an immense effort, during police negotiations with the police union to get Portland Street Response up and running, because to triage calls to an alternative call system when that was traditionally counted as

police work, meant that we had to go through the police union to get those calls reallocated. And in 2026, we are going to have the opportunity to renegotiate the police union contract. Historically, that is done behind closed doors, that is done out of the eyes of community. I'm going to push, and I know I have colleagues who will help me push as well, to make sure that the police union contract is negotiated in the public eye, with public input, and that you are part of those negotiations. I also want to address the fact that there are lots of City Councilors who share your perspective that we need to be reallocating funding from police back to community. During the last budget cycle, we knew that it was risky to even ask to have a meager \$2 million of additional funding that went to police, allocated back to other community resources. And we were able to get that through the skin of our teeth, really, but we're hoping that you will stay engaged. I know I'm preaching to the choir because the people that show up here, the people that show up at the town halls, you're already engaged. But we need you to bring your neighbors, we need you to bring your family members to come and testify, to email your City Councilors, to share your perspective. And we're gonna need you to be engaged in 2026 during that union contract negotiation, because our community deserves better, and thank you all so much for being here today, and having at least enough faith in our democracy that you decided to show up, we are not going to let that faith be wasted.

[PCCEP Listening Session] 2:01:16

Thank you.

We'll take one more speaker in person, and then we'll go to the virtual.

[In Person Testimony – Mac Smith] 02:01:24

Thank you. I want to say a thank you to PCCEP for being here and doing this hard work, and CopWatch, as well as the AMA. Thank you for all the work that you guys are doing. Um, I just wanna, I speak for, um... I speak for myself. I'm Mac Smith. I work currently for Councilor Kanal. So, um, I'm speaking... here's no one's speaking right now, but I'm speaking, so... Take that for what it is. And Angelina made me do this. I wasn't gonna do it otherwise. Um, she... she's a bully. The first important thing, I think, is that we can't really claim that we have compliance if we're seeing this thing that we're seeing right now. Um, this man, David Lamarr Johnson, was impoverished, he was addicted. He was black, he had mental illness, and he was in his house. Um... The case that brought PCCEP to us, and the DOJ settlement. Was not this extreme. Um, I think it's really important to keep that in mind. If we are getting closer to our goals, how are we doing even more extreme killing of

people? Um... I'm concerned with the civil holds being used in place of arrests. That was a tool that that was supposed to be used to help people get care, but people are getting placed in civil holds by police and taken to jail. It's basically an arrest, um, and we're not supposed to be doing that. I watched painfully many times a video where the police, held a man down by his neck, asked him to breathe, as we could all, on the video, hear him gurgling his last breaths. Um, for me, that was very difficult. Um, I have a family who is... mentally... has mental issues, and have had... I've personally been, you know, arrested, violently, on multiple occasions, by police. Um... And I was extremely concerned that there was no attempt to call for any help. Um, I was actually on a ride along with PSR at the time that this video came out, and it was very hard to watch after being with PSR. Three police officers, and eventually, I think, 8 police officers stand there with no mental health support, in a fully mental health situation. So, um, I think it's my time, it was close enough, so thank you very much. Thank you. And the mic stand is backwards, just fixed that.

[PCCEP Listening Session] 2:03:49

Thank you for fixing that. Uh, virtually, let's go to Mitch. Mitch, you should be able to unmute yourself now.

[Virtual Testimony – Councilor Mitch Green] 2:04:00

Okay, great. Can you guys hear me? Hi, my name is Councilor Mitch Green, and I just wanted to chime in quickly to say that, uh, when Councilor Murillo said that there are other counselors who are going to support a call for transparent union negotiation process. I'm one of those other counselors. And you have that on the record, and I represent District 4. Um, there are a lot of constituents in District 4 who are asking for a holistic public safety model and Portland Street Sports and CHAT are a big part of that. And one of the things that we did, uh, advocate for and win in the budget process was successfully not once, but twice, redirecting money from the Portland Police Bureau to other broad public safety uses. First to move it to parks, but second, to sort of take it from an unspent police budget money into a public safety set-aside that my office created. Um, that is... is for... Building capacity across our entire public safety nexus to include Portland Street Response. And so, I just want a community to know that. That those funds exist, that in addition to the 14 extra FTEs that we got in the budget for Portland Street Response, we still have more. And, um, so we're listening, we're paying attention, and we're here for you, so, um... We're only as powerful as you are, so thank you so much for being a part of this, and um... We got you.

[PCCEP Listening Session] 2:05:24

Thank you very much.

All right, so we're gonna go to the next, um, speaker here in the virtual chat.

Um, as we... before we call the next person up, um, just a reminder, if you have comments, or if you have questions, um, again, I see some in the Q&A spot. Please go ahead and raise your virtual hand. Those in person, please come up, um, to the front row, or just raise your hand. We'll make sure you get a mic, um, so you can share. We have about 30 or so more minutes. Um, roughly on... depending on who raises their hand to... Allow people to enter their voice into the space. Um, along with that, I just want to do a reminder of the community standards that we're to be respectful of attendees, panelists, and event staff and your word choice and other harmful comments. This includes considered, uh, considered likely to disrupt, provoke, or attack others. Racist, sexist, homophobic, sexually explicative, abusive, and otherwise, or otherwise harmful hate speech harassment or doxing in any form. Respect event staff and their responsibility to uphold these guidelines and any attendees who violate these standards may be removed. So, just wanted to remind us of those standards um, before we go, um, and then now we'll jump back into our next speaker.

All right, uh, go ahead, Sophie.

[Sophie Ciurlik-Rittenbaum] 2:07:04

Okay, thanks so much. Um, so that math I was talking about, it just crashed. Okay, \$295,060,000 divided by... I swear it just crashed in that second. I had it pulled up this entire time. So sorry, okay, here it is.

[PCCEP Listening Session] 2:08:00

Sophie, it seems like it's just a challenge for you to get the numbers that you're looking for.

[Sophie Ciurlik-Rittenbaum] 2:08:06

Can I put it in the chat? Is that okay? Thank you so much. I'm so sorry.

[PCCEP Listening Session] 2:08:09

Um... Yeah, put it in the chat. That's a great place for it to go. Yeah.

Absolutely. Uh, next we'll go to Charlie.

Charlie, did you have something that... yeah, did you have something else you wanted to say?

[Charlie Michelle-Westley] 2:08:27

No, I'm... I'm done. Oh, is my hand still up? Sorry. Okay.

[PCCEP Listening Session] 2:08:30

Oh, okay, so there's... all right. Thank you, Charlie. Uh, in person.

Oh, go ahead, come on up. Javi, right? Thank you.

[In Person Testimony – Javier] 2:08:48

Thank you for letting me talk again. I didn't realize there was so many City Council folks here, um... So I just wanted to say that specifically around uh, what my Representative Morillo was saying around the budget, or, sorry, the union contract. Um, I just hope that the folks on Council who are listening and also the ones who don't agree, um... know that the City of Portland has given you folks, right, with this new charter, a mandate to do something about the police. Um, there's, you know, like, the Oversight Committee thing that... we voted on in 2020, that was a landslide vote. It wasn't, like, a 50-50 type of deal. People want something different, because what we've seen in the past is that Portland Police will kill somebody. The grand jury looks at the situation and says, well, they said the magic words, I feared for my life. Looks like this one's by the book, and the cop gets away with it, 9 times out of ten. And then the one time out of 10 that the cop doesn't get away with it, they get fired, and then an arbitrator gets them their job back with back pay, right? So, it's just a nice little vacation for killing a minority. It's insane. It's ridiculous. Right now, we have a city council that, for the first time, isn't just, like, a landlord lobby, or, like, a business owner lobby. And so, I really, really want to reiterate that. We need to see a different outcome here. Like, these guys, they cannot get away with it. If the people we elect to govern us cannot hold one cop accountable, then we need to look at other means, like taking it into our own hands, because it's ridiculous at this point. There's... there should be zero reason why

these guys get away with this, other than they genuinely are above everyone else. That's it. Thank you.

[PCCEP Listening Session] 2:10:33

Thank you. Do we have any other speakers in person?

Yep, come on up. And just a reminder, the clock is now going to be up behind you.

[In Person Testimony – Julie Winters] 2:10:47

I just want to ask the committee, what... where is the Civilian Oversight Board? We voted on that many years ago, and I know that my friends at Don't Shoot PDX are part of a lawsuit involving 12 other organizations against the PPD for intimidating the folks that are, uh, trying to implement this Civilian Oversight Board? Because the, uh, Independent Police Review. Apparently is nothing but internal investigators from other agencies who are used to covering up the crimes of those other agencies that are there to cover up the crimes of the PPP. They have not found one PPB officer guilty of anything. They don't even tell you. That they are going to discipline the officers when you get that notice that they are looking into it on your behalf. Which is not your behalf. Um... And... Yeah, I mean, the guy that investigated my claim, was a person who was an internal investigator at CPS. Now, we all know that CPS has their problems as well. So, where is the Civilian Oversight Board?

[PCCEP Listening Session] 2:11:57

Excellent question. All right, um... Yeah, go ahead.

[In Person Testimony] 2:12:06

Um, yes, it was interesting across the lake... across the river, rather. Now, they're still stuck with an old five-person body, a five county commissioners. And when they go to a library opening, they... formalized. They say, oh, we might have a quorum at this library reopening, and I don't care about notifications like that, I'm just glad y'all... So many of you are here, who cares about Quorum? You're not talking, you're not doing public business, so that's not really a relevant application of state law. What is important... is even with the full plates that our new 12-member council has, uh. That, uh, you could see that... Uh, you know, policing is always a crisis, but it's, uh... you can codify PCCEP and, uh... improve the

communication, as Javi Raze and other people have raised, that we voted to do something better and stronger than IPR. And, uh. We can only wait, go through so many excuses. Um, I know there's a budget crunch and stuff like that. But, uh, I would hope that the new charter reform government, uh, we'll find ways to deliver quickly on old mandates from voters. So the courts, some communications, maybe tomorrow. Coming out from various council offices. And then, after you do a quick one on that. Uh... you know, when we talk about codifying [PSR], that's a little bit more complicated, because some of you know, it started off with the co-ab. And then Mayor Wheeler, when there was power in the Mayor's office, killed off the co-ab, a body of 14 volunteers, and said, you can't do things to my satisfaction. All you volunteers and your time, go away, I'm gonna create a Portland PCCEP. Um, which, regardless of how good the people are, uh, you know, we've heard that they're, whatever, not officially codified in code, statute, whatever, no, not set, we don't have statutes for the City, but... Um, so, um... This new council should also speak. Uh, really definitively, in theory, if you quickly give us a powerful, strong police review, like we voted for. Arguably, we don't need to finesse things with a PCCEP. I mean, there's... the roles are different. Um, but also their importance is different. It's more important to hold killer cops accountable than it is to have... an advisory body. The Behavioral Health Advisory Committee exists. One of their members, or former members, is here. Thank you. Okay, oh, we got time. Thanks.

[PCCEP Listening Session] 2:14:54

Okay, we'll go virtually. Uh, go ahead, Katie.

[Nick Giller] 2:15:03

I... my apologies to everyone, and so many thanks for... For holding space, uh, facilitators. This is actually Nick Giller, my partner. Is, um, was joining here tonight while I tried to work on reports as a public servant. For one of our local BIPOC CBOs. And I was able to join for much of this, and I just wanted to know, from our Counselors, who I'm just really grateful were able to come this evening and take time for this critical issue, um, what will it take to turn the Neighborhoods program into a community first response training nexus. Each of the, the districts. I've done my best to serve on a Southeast Neighborhood Association with an effort toward houselessness, um... Uh, well, to be frank, anti-NIMBY, being one of the only anti-NIMBY folks on the association. But also, um, seeing that it's an opportunity for us to do that readiness and training and community building that so many folks have, have

thought about this evening. I just wonder, we have this existing infrastructure, what would it take? Thank you.

[PCCEP Listening Session] 2:16:20

All right, thank you. Yeah, go ahead.

[In Person Testimony – Lisa Rogers] 2:16:31

Hi everyone, my name's Lisa Rogers, and I work in the City Attorney's Office, and I just wanted to give a little, um high-level update on the community oversight system, as that question was posed. Um, recently in June, City Council approved 21 members of the board, along with 6 alternates and those, um, those members and alternates are now in the background and training process. Um, they're going to... the city code that was adopted outlines, um, the different trainings that they need to take before they can, um, serve in their roles. And so, that's where the process is now. Unfortunately, there's no ETA for precisely how long that will take, but they're in the midst of that process now. It's... in the background of that training process, so... Yes.

[PCCEP Listening Session] 2:17:33

Actually, before you answer that, could we get a mic over, uh, to this person so they can so everyone can hear the question.

[Question from Marc Poris] 2:17:44

Thank you. Um, yeah, thanks. Um... Yeah, it sounds like... their... the... the new board is... some people are still in the background check process, and some people are getting trained, or... I guess my question is, does everybody have to go through the background check before people start getting trained?

[Lisa Rogers, City Attorney] 2:18:04

Yes, my understanding is that the background check, uh, happens first, and then the training will begin after that's completed.

[Question from Marc Poris] 2:18:08

And that's for all 27 people at the alternates as well?

[Lisa Rogers, City Attorney] 2:18:10

I believe so.

[Odelia Zuckerman, PCCEP Full Committee Co-Chair] 2:18:17

Hi, sorry. Is there a credit check included in that background check? And if so, can you explain why?

[Lisa Rogers, City Attorney] 2:18:27

I do not believe that the background check looks into, um... The members credit... like, we might think about, um, the concept credit when we think about it. When in a... when an employer, um, or even... even in the circumstance of, like, a volunteer relationship, when an organization that is obtaining, uh, volunteer services from someone. Um, conducts a background check that looks into um, that uses any, uh, different kinds of, um backgrounding services to look into criminal background and other aspects of, like, typical kinds of background checks. They have obligations under the Fair Credit Reporting Act um, to provide certain notices to those people who were checked. Um, and so that term credit, like, credit background comes up um, in these contexts, because of the obligations under that law. But, um, I do not believe that. Um, those members' credit or credit scores are being looked at by the city.

[PCCEP Listening Session] 2:19:43

Yes. Yeah, it's for the virtual folks, so that's why we need the mic, yeah, but... Appreciate that.

[Question from Angela Hayette] 2:19:52

So, uh, my question is, is there an established, kind of, like, I guess, guideline for the training for this, um... Community policing group, um, and how many hours is that training, or that guideline? And, um, where is that coming from?

[Lisa Rogers, City Attorney] 2:20:09

The code, the city code outlines what the, um, different aspects of the training will be, so... and there's no specific hour requirement, um, that I'm aware of, but it does outline the areas of the training. And I could take a look and then come back up in a minute, but I don't know them off the top of my head.

[Question from Javier] 2:20:36

I appreciate you fielding questions about this, because obviously we all have a lot of questions about this. Um, and I know you folks are working really hard to implement it, um. Because it's happening now, and the previous council did all they could to stop it, so I really appreciate that, but I guess my biggest question is. Um, regarding changes to the way the Accountability Board is gonna work, how would we as a community, like, if we wanted to change something about the way structures. For example, the biases against police clause that was added, or the fact that there's police officers on there. Or even the background check thing, most people who interact with police have a background, so why wouldn't those people be allowed to serve on the supervisory board, you know, like, how would we get those changes through? Or in the future, is that something you're in a position to tell us about?

[Lisa Rogers, City Attorney] 2:21:20

Yeah, let's see. So, those requirements are currently found in city code. Um, and certain of the requirements that are housed in city code now are also embodied within the Settlement Agreement. And so, um... So, in terms of the process for changing city code. Um, that... that... City Council does have the power to change city code through an ordinance. Um, certain of the requirements for the oversight system are also found in Charter. I can't recall right now off the top of my head if any of those are in the Charter. But that would be a more detailed process, um, in order to be changed, um, that could... that could involve. Um, referring the issue back to the voters. Um, in terms of the Settlement

Agreement, whenever changes are made to the settlement agreement, that does need to be brought to the Court. Um, which then reviews the... any amendments as, uh, as to whether they're fair, adequate, and reasonable. It's kind of the... the lens that the court applies, um... for those changes.

[Question from Casey] 2:22:35

And my, uh, questions actually piggybacking right off theirs. Um, thank you for answering questions. Um, but yeah, the background check is that, I don't know how much you know how extensive it is. but is it really eliminating everyone who's had some sort of... even just minor or all severe interactions with police, because... especially because it is a oversight thing. It seems like that would be helpful to have folks who have bad experience on the board, and not just people who have never had any involvement in the justice system, um, so I'm not sure if you're able to speak to that.

[Lisa Rogers, City Attorney] 2:23:12

Um, I... I'd appreciate a minute to go back and look at some more materials to give more detail on that. I don't believe that the criteria would be that you, that you can't have any sort of, uh, criminal background. Um, there are certain, um... databases that the oversight system members will have access to um, that... that require... that we... that the City has to, um... We have to... we have to agree to... in order to be able to use them. That we have checked individuals' backgrounds that they meet a certain criteria. But, um, but I don't believe that that criteria is that you have no criminal background at all.

[Question from Yume Delgado] 2:24:00

Mm-hmm. Lisa, just for the purposes of clarification. Do you want to talk about who is responsible for adjudicating those questions that come up from a background check? Is it a... counselor, is it perhaps the Deputy City Administrator? And then, as a follow-up question, or a point of clarification. Um, who is it that... are officers allowed to serve on the board, or are they allowed to serve on the nominating committee? Because I think that's also a point of question that comes up.

[Lisa Rogers, City Attorney] 2:24:27

Yeah. So, I'll do the second question first. So, um, officers, uh, law enforcement officers are not permitted to serve on the board. Um, there are the 10-person nominating committee did include, uh, Representative, uh, three, yeah, three police, um, representatives, um. One from... that was appointed by the Portland Police Association, um, one by the Bureau, and I'm sorry, but the third source is escaping me. The PPCOA, yes. Um, but no, law enforcement is not permitted to serve on the board.

[PCCEP Listening Session] 2:25:05

Okay. Um, you alluded to a desire to kind of look back at your materials to answer some of the questions. So we'll go ahead and let you do that. We have a couple of hands. Thank you, everyone.

[Lisa Rogers, City Attorney] 2:25:20

Oh, yes, I... so I... I do believe that the... if there are issues that are raised in the background check, then the, um... The Deputy City Administrator over the, um, area that the community oversight system. Um, is housed in is going to be the... is going to be, um, adjudicating those issues as they come up.

[PCCEP Listening Session] 2:25:40

Thank you. Alright, wonderful. We'll give you some time there, and then we'll go ahead and go here. Go ahead, Odelia.

[In Person Testimony – Odelia] 2:25:50

Hey everyone, my name is Odelia. I'm a PCCEP member. Speaking not on behalf of PCCEP. Just myself as a member. Um, and I'm hearing there's a lot of interest in the CBPA, so maybe that's a PCCEP project to do more information sharing. And to answer a previous question, there has been movement from counselors to try to change the code, but that wasn't passed through. Um, specifically around the bias language, so that's how... that could happen is through council, but not enough counselors are on board. Um, so... I just, um... First of all, like, really just appreciate everyone being here. Um... And I just wanted to add my thoughts to this, so I guess... Um... to start. From watching the body cam footage,

um... There's a conversation the three officers have when they're walking up the street, saying. Oh, I don't think the knives hanging out of the window is a threat. I think it's just the water. Not gonna go into someone's... like, room or apartment, just because of that. That's like a building management thing. And then when we... see the officers at... Mr. Johnson's door, and they say... they notice the water is off, they say they don't see it running. So... they say there was no threat except the water, and then they say the water is off. Yet somehow, there's still a decision to put him on a hold. So that doesn't add up for me. Um... And then also, when they're at his door, one of the officers pulls his gun out. After, another officer told him he was cleaning his bed with his blanket. So in what world would you need a gun to respond to that? For me, that's unacceptable behavior. And if you see an officer has their gun out while... and they're also telling you to calm down and not resist, that's also... just inexplicable, right? Because... Someone's using force on you, someone pulled their gun out. How are you then gonna be told to breathe and to calm down? That's not really a fair thing to say, and so... Um, I was also... Oh, good, there's no timer. You've got time. Thank you so much. Um... I was a part of the private screening of the body-worn camera footage before it was released. Um, and I was really disappointed that Amici... the Mental Health Alliance and the Albina Ministerial Alliance Coalition weren't invited to that private screening. I don't think... That's fair when they're a huge part of the Settlement Agreement. And I also... we were only shown... um, the summary video PPB made, and then up until... force was kind of being used on Mr. Johnson, so the whole time. I would... the footage I was shown by PPB in private didn't show how Mr. Johnson died. And that's extremely disappointing. When the video also says, oh, we were trying to calm him down, we were building rapport with him, by saying, what's going on, man? Or, like... Calm down, chill, just breathe. Again, if you're putting your hand on someone's neck, and on someone's back, and on someone's leg, and telling them to breathe. That's just... not okay, and it's not okay for that video to have been narrated the way it was, and for that to be what the public is consuming. So it's really important that that, um... whole policy and procedure be questioned into why there was a narrative like that around this. When when you watch the raw footage, there's an entirely different story. I'm gonna stop talking now, I have a lot more thoughts, um, thank you all for being here.

[PCCEP Listening Session] 2:29:52

Thank you. Thank you, Odelia. Did you...

[In Person Testimony - Gabby] 2:29:58

Hi, I'm Gabby. Um, I just got... on the PCCEP. Um, I... also, first of all, I want to say rest in peace to Damon Johnson, he should be here today. Um, I'm really, you know, I'm very impressed with everybody. It's really brave to get up and talk, especially when it's, like, about policy, you know? Like, I think it should be this way, like, that's really brave. And I'm afraid of saying something stupid all the time, so I think I'm very impressed. Um, but I just... I always try to say this all the time, and now that you know, there's a camera, um... In these circumstances, there's always so many cops there, you know? Like, actually, even when you get pulled over, there's always so many cops there. But when you read about people getting killed in police-involved shootings, most of the time there's just like all these cops there. And I don't think that anything ever gets resolved when a... a bunch of people are around watching. Like, I don't think that's a good tactic in general. But I just want to say it's an insulting argument, I think, to say we don't have money for street response teams. We only have response money for 3 responding cops, and three guns, and... three tasers and 3 pepper sprays, and... That's even a low number, you know? I think there's probably two cars probably responded. Uh, and that's even lower than you see most of the time, so... Um... and I'm not speaking on... behalf of PCCEP, either. Okay, thank you.

[PCCEP Listening Session] 2:31:27

Thank you. All right, um, virtually, we have a couple of hands.

Uh, go ahead, Ross.

[Ross Taylor] 2:31:41

Uh, yes, I'm Ross. And the thing I wanted to note was in relation to what Councilor Morillo was talking about, at the PPA contract that's going to be coming up in 2026. Some of the code changes, which... Uh, particularly on what the bias issue, are specifically also in the PPA contract, and that was part of the discussion at... in the City Council, or in the, um... Public Safety Committee's meetings on why they couldn't change the code at this point and didn't even propose a change in code. Was because the police department made it very clear that that would reopen the contract and that the whole, you know, police contract could... could be, um, opened up again if they wanted to change that bias wording, because it's in the... specifically in the contract. So I think that's something that needs to be paid attention to, uh, among many other things, uh, when that contract is being negotiated, and I think is another reason why those negotiations need to be open and public. Thank you.

[PCCEP Listening Session] 2:32:50

Thank you, Ross. Um, next, we'll go to Noel.

There we go.

Noel, you should be able to unmute yourself.

Noel, we cannot hear you...

[Noel Cuthair] 2:33:25

Can you hear me now? Okay, thank you.

[PCCEP Listening Session]

We can.

[Noel Cuthair] 2:33:30

I just wanted to say, I'm Noelle Cuthair. I am a PCCEP member. I was not able to be there in person, um, tonight. But I have been here, and I've been listening to everyone, and I understand their concerns, um. I'd also like to acknowledge, you know, the Indigenous people who have spoken up. Um, myself, I am Indigenous, I am from the southern Ute tribe, I'm a Southern Ute woman. I also identify as queer, so I... understand the intersectionality with identity. As well as the concern around, um, identity in police. Um, and I just wanted to speak to that, and also just make aware that I'm here, and I'm listening, and... I'm taking seriously every concern that, uh, the community is expressing. And I will seriously consider that as a member in our next meetings, whether privately or public. To make recommendations moving forward. Thank you.

[PCCEP Listening Session] 2:34:46

Thank you, Noel. All right, we'll return to in-person. Um, comments, we got Kip, go ahead.

[In Person Testimony – Kip Silverman] 2:35:00

Um, my name's Kip Silverman. I am co-chair of the Policy and Reform Subcommittee. I'm speaking on behalf of myself, not as the entire committee. Um. First of all, I really appreciate, uh... I'm sorry, Lisa Rogers? Yeah, uh, the, uh, bringing up, uh, or talking about the, uh, new oversight commission. We're really looking forward to having that in place. We do not have control over it, but, um, we're really excited for that and answering all those great questions for us. Uh, one thing you had mentioned, uh, that I would like to bring up, and... that being a policy-wonky kind of person, is I am really interested in how this investigation goes. Uh, the grand jury that I hear is being, uh, convened around Johnson's death, and um... The directives and policies, and whether or not the officers had followed them as trained. Uh, as has been stated earlier, um... our police department is, um... undergoes a lot of different training. Uh, since the Settlement Agreement, there's been specific things, especially around use of force to try to... uh, ensure these things do not have these types of outcomes. And, um... watching that video, uh, the, uh, uncut videos three times over from all 3 body cams. Um, it's very disturbing that this was the outcome to me. Especially with, um, all the time and effort being put into including the work PCCEP has done, um, and many others on... Uh, making sure PSR and alternatives to um, police response to mental health crisis. Uh, so... All that being said, uh, first of all, I appreciate everybody being here, talking about this tonight. It's... so very difficult. Um, the... what I ask for everybody here, and everybody that you might know. Is that the way we... If policy was not followed, if directives were not followed, then that's one problem. If the directives were followed, or a grand jury agrees they were followed, that speaks to me that those directives and policies need to change. Uh, because this never should have been the outcome of this encounter, in my personal opinion. Um, so please get involved with PCCEP. Please help us take community input, uh, create new recommendations to change directives and outcomes. And we will be talking to... well, we're going to mention that in a moment. We'll be giving our report out to Judge Simon's office, um next week in his courtroom. And, um... some of our concerns are, uh, at least personally, and some of the conversations I've had, is, are we truly in substantial compliance? Uh, the City of Portland, that is with use of force, which the previous report from the monitor's, uh, previous monitors found it not in substantial compliance. This kind of outcome really shakes the core of my experience and understanding. So, thank you, everybody, for being here. Please continue to show up and advocate. And help us, uh, provide the recommendations we need to the City of Portland so that we don't have these outcomes in the future. At some point sooner hopefully not later. So, thank you.

[PCCEP Listening Session] 2:38:58

Thank you, Kip.

[In Person Testimony - Amani Kelekele] 2:39:07

Good evening, everyone. My name is Amani Kelekele. I am Joint Chief of Staff for Councilor Jamie Dunphy. I hadn't planned on stepping before you guys today to make any sort of statement, but, um... I felt like I'd be remiss if I didn't take this opportunity to say something. Just want to say thank you for organizing this space, for us to share our experiences, and to share how we feel about how this has impacted our community. And for the folks that have stepped up and given brave testimony about how this all played out, which... Never should have happened in the first place. For me, um... I want to share my experience being in that private viewing room with the Chief of Police and other fellow Counselors. It was deeply disturbing to watch the video in general, but what I found more disturbing was the response to the video and the questions that I posed in that room. It felt like things were being dismissed as... uh, tragic accident, or an unfortunate circumstance. And not being... taking responsibility for the way things were handled, which could have been done a whole lot differently, right? Like... talk to the person. If they're not talking to you, be more patient. Have some kind of eye contact. Let them know that you're actually there to help, rather than. I'm here to help you, you know, and then shove them into the ground. So, I hope... I love to see that our... my colleagues are out here, because it's been 13 years since the DOJ put this in front of us. And that needle has not moved at all. So, I'm proud to see that there are folks that are showing up from Council that are here that want to work on this issue. And I want to say that I want to be the best colleague for you in working on this issue, and please, like, come to me for anything that you need as far as, pushing the needle, getting policies changed, expanded, remanded, whatever we need to do to make sure that we can protect our citizens. And not have such extreme authority for the police to be able to do whatever they want without consequence. And I also want to give a shout out to my Counselor for... representing my feelings and coming out and not being shy to make a statement. So, thank you, Councilor. That's all I got... goodnight.

[PCCEP Listening Session] 2:41:30

Perfect, thank you. Uh, go ahead, yep.

[In Person Testimony - Tristan] 2:41:36

Hello, my name's Tristan. I'm here to just kind of... talk about what I've heard tonight, and some of my personal feelings, um, in regards to... what took place? Um, it's been really emotional for me, listening to everybody here tonight. Um, I hear a lot of genuine pain from people, um... From the personal experiences, to just being in community where so much violence takes place on a day-to-day basis and it feels like nothing ever changes. Um... intertwined with all of these issues is a deep systemic issue of... the targeting of lower-income and mentally ill members of our society. Um, you know... When we talk about policing, and when we talk about the violence that takes place. There's a disproportionate amount of representation of people who have nothing, who are homeless, who are sick, who are scared, who are afraid. My mom is homeless, and she's been homeless for the past 10 years, and it... took place when I was still in her care. And she's been within the City of Portland for those 10 years, and... One of my biggest fears is what would happen to her if she was encountered with the police, because she has a record, um... You know, what I really wish happened when I was younger was that there were opportunities for her to get help from the community around her. Um, and... there wasn't this crushing weight of... the economy, to work. To make an income to... support a family. Those are the types of systems and the types of pressures that people feel that push them to the brink. That pushed them into these mental episodes, which require... police intervention. So... when people talk about police reform, I think it's... in equal parts due to the violence they impose and the system they represent. And when we talk about replacing it and imposing new systems like PSR, what we're talking about is a fundamental shift in... the type of society we want to exist in, and we want to see each other in. One that doesn't focus on criminalizing the most vulnerable and at risk in our society. And one that really focuses on uplifting and caring for. And show in a common humanity for all of those around us, and... I just really hope that, as a city, we can come together and be there for the people who really need us, and push our elected leaders forward to really make that stand and really represent the people who need it most right now. Thank you.

[PCCEP Listening Session] 2:44:42

Thank you.

[In Person Testimony – Leslie Martinez] 2:44:47

Great, um, hello again, everyone. My name is Leslie Martinez. I am with PCCEP, but as everyone else, I'm also speaking on behalf of myself. Um, I was really, uh, glad that the

people contract was brought up tonight, because I do think that that is a huge barrier to transparency. Some of the things in there, and so I look forward, as a community member, to seeing that play out in broad daylight, and seeing how that contract really plays out. Specifically, for example, um, I'm not sure if everybody... I think it's colloquially called the Embarrassment Clause. Um, and so what that basically says, if you're not familiar with it, is that when the City needs to reprimand or discipline a police officer, it should be done in a way that minimizes the embarrassment before other officers and the public. So in an instance like this, where, you know, it's gonna go to Grand Jury, uh, should they be found, you know, liable or guilty or whatever. And as we've heard in this room, that is very unlikely, but should that happen, we still won't have full transparency. And we still won't know exactly what happened, um, in those instances. So, as a community member, um, I have a vested interest in... you know, making sure that those contracts are fair, and they are really protecting our community. Um, yeah, thank you.

[PCCEP Listening Session] 2:46:16

Thank you. Thank you.

All right. Go ahead.

[In Person Testimony – Yume Delgado] 2:46:24

Hey, y'all. My name's Yume Delgado. I am the current chair of the Citizen Review Committee. Prior to that, I served on the Police Accountability Commission and I was on the nominating committee for the new. Community Board for Police Accountability. So... a couple of people have shared their experiences with IPR, with CRC. With some of their frustrations around that process, and I share some of those frustrations. I will say no one has worked harder to put myself out of a job than I have. Um, doing some expectation setting and maybe using that as a way to frame one of the challenges that's going to come up in bargaining. Um, this case will go to a Grand Jury. We've heard that from the District Attorney's Office. That's a lengthy process. This case will then go to the Police Review Board, right, which is the current system that we use to adjudicate uses of lethal force or in-custody deaths. That means that that will be heard by this current system, even if that's a year from now, maybe 2 years from now, we don't know, right? Um, the reason for this is because the way the... Police Accountability Commission proposal was bargained and put into force, and... I let Lisa, go ahead of me, because I wanted to get some of these uh, more basic questions out of the way. But the way that that was set up said that the current system will adjudicate any case until we do the handover to the new system. Right? Um,

Judge Simon made a decision last year to delay the implementation of that system to allow this current council to make those choices. And that was a... policy decision that Judge Simon made, but it means that we potentially have. A very long time where the CRC will have to participate in those review processes, and that is three community members, and four police officers, right? So... One thing that you can do, if you have concerns about this, is you can talk to the counselor... your counselors, you can talk to the City Attorney's Office. About whether or not it's a priority. To work with PPA and work with PPCOA, or P-P-C-O-A, to negotiate a quicker end date for the work of the CRC and IPR. So, just a flag. I know we're running out of time, but if anyone has questions about the current process, I am not going to comment on this case, because... For all I know, I may be one of the reviewers on this case, but if you have questions about the current process, I'm happy to answer those, uh, sort of offline after the meeting. Thank you.

[PCCEP Listening Session] 2:48:58

Thank you. Thank you. Yeah.

Um, and remind us of your name when you get up there again. Thank you.

[Lisa Rogers, City Attorney] 2:49:09

So, my name again is Lisa Rogers, and I'm from the City Attorney's Office. Um, so... A question was posed about the specific... which... what specific, um, elements will the training for the board members include? It's a kind of lengthy list, so what... what I'm gonna do is provide a link to the code section so that PCCEP can provide that material, so that everyone can go and take a look at it. Um, Doris let me know that there was a question in the chat. Um, do you want to read the question? Yeah, the question in the chat is.

[PCCEP Listening Session] 2:49:44

What are the consequences of PPB not complying with the Settlement Agreement demands? What recourse do we, community members and government officials, have?

[Lisa Rogers, City Attorney] 2:49:56

So, um, the goal of the Settlement Agreement is that the city and the Bureau develop durable remedies. Um, and... and in order to assess whether we have a durable remedy

here, the, uh... The Settlement Agreement is going to be looking to us having an accountability system that is successfully able to address issues when issues arise. Um, we now have an Independent Monitor that assesses our compliance with individual paragraphs in the Settlement Agreement. And that assessment is, um, is produced in the form of a compliance report, and it happens twice a year. Um, so the Independent Monitor will be assessing, um, our compliance with the requirements under the Agreement, um, as we move forward. And as to, um... and if in that process, they, um, the Monitoring team determines whether the City is in substantial compliance, uh, partial compliance. Or, essentially, no compliance. Um, they often use, like, a green, yellow, red coloring system in that compliance assessment report. Um. So, in terms of what, um, what recourse is available. Um, community members can raise their concerns directly to the monitoring team. They can also reach out to the Department of Justice, the Civil Rights Unit, which, uh, whose attorneys, um, also work on the Settlement Agreement. And when we have, um... hearings as part of the court case. Um, those hearings are open to the public, and they occur at the federal courthouse across the street, and the judge does, um, take public comment, um, during those hearings. And so, members of the public are able to come and share their thoughts in that venue as well.

[PCCEP Listening Session] 2:52:02

Do you... are you going to respond to that, or have a question? Oh, go for it.

[In Person Testimony - Odelia] 2:52:08

Yeah, I just wanted to respond to that, that part of our duty as PCCEP is to take community feedback and voice and bring that to Judge Simon, and so... A lot of the things we're hearing tonight, we will be sharing with him, that there are a lot of feelings about this most recent case and questions about. The history of the settlement agreement and how this is still happening, if compliance is almost... has almost been reached. There's only 5 paragraphs out of compliance right now, out of, like, 200 and...70-something? Um, anyways, so... But a lot of the Settlement Agreement itself I think it's important to look at it as kind of a... a low bar, because a lot of it is just about reporting, right? And also, being in compliance with directives and policies, and so... The last Independent Monitor report, we had 6 uses of lethal force, but they were all in compliance. Oh, okay. Um... So that's just something to think about, too, is, like. We want to push beyond the Settlement Agreement, too. But that's... Yeah, so we're gonna share everything everyone's saying here in the court, um... And hopefully hear something from Judge Simon, I don't know.

[PCCEP Listening Session] 2:53:32

All right, hold on one moment, we're gonna take a couple, um, of hands in the chat, and then we'll be back in person.

Um, Charlie, uh, go ahead and you're able to unmute yourself.

[Charlie Michelle-Westley] 2:53:44

Hi, uh, sorry to take up so much time, but I just thought I might be able to answer. Two or three questions that were asked about the Community Board for Police Accountability, as I'm, I'm one of the 21 that. So far, made it this far. But, um, the credit check does say that they are going to be checking in with credit agencies uh, that I had to sign and give, give, uh, permission to do that. I don't know how they're going to use that. Uh, that was not explained. Um, and then the next thing is the background check, which initially, when we were creating, uh, this oversight system, it was told to us that you couldn't have a record, but we pushed back really strongly because people who have... lived in an over-policed neighborhoods like myself, you know, it's often hard to get out of those neighborhoods without a record of some sort. And, um, and we're not always the worst thing we've ever done. So, you know, um... They relented and did say that, um that wouldn't be an automatic, uh rejection, and that they will review it, and that, yes, the administrator uh, we'll make the deciding the final decision on that, but it's mainly... They say it's mainly used because uh, the CBPA members will have access to, uh some very confidential records. Uh, that seems to be their main concern there. And then the, um... uh, bias thing ah, yeah. Uh, a lot of things changed when we turned over the document to the City. Things that we were very disappointed with them, uh, removing or adding, and bias was one. And it didn't necessarily mean that the contract, PPA contract, would have to be changed to just net. This was something they didn't want in there, because they were afraid it would be used, uh bias against the police. And all we wanted was the same wording that the, uh, the Courts use for juries. You know, so what's the problem there? Anyway... Um... Was there another one? Um, let's see, bias... Well, that might answer... just a few of those questions. And yeah, we got lots and lots of training, and I can't remember the whole list.

[PCCEP Listening Session] 2:56:20

Hey, thank you, Charlie. Um, next, we'll go to Rob.

Um, you can go ahead and unmute yourself, Rob, and speak into the space.

[Dr. Elizabeth Allen] 2:56:31

Hi, ok, so... Rob's not here, this is Dr. Elizabeth Allen. And somebody said that, um, you could go to the Department of Justice and have a conversation with them. Ordinary citizens. Well, I did that. Just a few months ago, talking to Jared Hager. Let's see, got that name right? Jared Hager, yes. Uh, his opinion, it seems to me, was that there's been substantial compliance on the part of PPB. And that I was being unfair to say we'd gotten nowhere. And yet tonight, I hear a lot of people say, we've gotten very little. Some people are also saying, we've gotten nowhere. Uh, so if DOJ... thinks we've gotten nowhere. I don't think we have a whole lot of where to get from them. I would also point out that all the other cities who have covenants that are essentially identical to ours, have been, um, erased. All those covenants were erased. We are the only one left with a covenant, with a Settlement Agreement. We shouldn't lose track of that.

[PCCEP Listening Session] 2:57:55

Thank you, Dr. Allen. All right, we'll go ahead and go... Do you... did you wanna... Yes, go ahead, and then, um, we have two more comments, and then we'll wrap for the evening.

[DaVante Minnieweather] 2:58:10

Um, yeah, I just really want to echo, um, some of my peers, and thank everyone for, um, coming tonight and sharing and expressing your thoughts and feelings about this situation. It's very tragic, I think, for for community as a whole, honestly. Um, and one thing I haven't heard, you know, very many people talk about, um, or speak on is what I've seen and read, uh online is that, um, Damon Lamarr Johnson was a U.S. Navy veteran. Um, and I think that there are many different, um, reference points that we can look at um, to see that, um... more often than not, there are very terrible outcomes when it comes to veterans who have, uh, are struggling with mental illness and interacting with law enforcement. Um, and so, you know, I would like to maybe hear from community on and... and just everyone involved on what the system should shift how the system should shift to account for our veterans, uh, especially those who are struggling with mental illness. Who have maybe had combat exposure. Or who have had, um, you know, those that they were serving with, uh, pass away in combat and are dealing with maybe, uh, PTSD stemming from that. Um, because, you know, when they... are approached by law enforcement, I think it's very possible that,

you know, being given a command could maybe invoke a fight-or-flight response, or that combat training, uh and... at that point, as we've heard, for someone who was just in mental crisis in general, it can be very difficult to be able to listen and respond appropriately to a command from law enforcement. Let alone if your combat instincts are also kicking in in that combat training, so... um. You know, are we flagging these individuals in the system to kind of let law enforcement know, or whoever's responding know, that this is a veteran who has seen combat, who might need a different approach than someone who is just normally uh, in mental health crisis? Um, is there a different tactic or strategy that we need to be employing there to best assist and help these individuals um, so that we don't see these terrible outcomes? Um, you know, that's something that's kind of on my mind, is how we can better help and, you know, serve not just all mental... all people who are struggling with mental health crisis, but, you know, especially our veterans, um, who have fought and served, so... That's just something that stuck out to me, and once again, thank everyone for coming tonight.

[PCCEP Listening Session] 3:00:57

Thank you, DaVante. Uh, go ahead. Okay, go for it.

[In Person Testimony – Angela Hayette] 3:01:07

Thank you. Um, so I know that it was mentioned before, um, thank you for mentioning the disparity in, um like, people who have less money, and um... poverty, basically, and I want to bring attention to the crisis of not having a public defender. Um, I know for a fact that when I was detained. Um, while protesting, I was... given a month to respond and my public defender didn't have an appointment within 2 months. And I still had to be at court, and had I missed that court date without that public defender or not. I would have been put in jail. And I think that is completely unfair of the system to put us in that position where we have to show up to court with no protections in a month. But they can put out our public defender day, or our meetings with our public defenders for months, because no one is there to defend us. How is that a due process? How is that... Um, being proven, or being considered innocent until proven guilty. It's complete opposite to be honest, and I just think that needs to be addressed, and that's something that we can all... Um, figure out how to... help people who are in that situation who don't have public defenders. Who don't have the money for a lawyer, who are in a situation where they have to wait, and maybe they can't make it to court every couple weeks. Like they want them to, you know? Maybe we need to figure out a system to where we can help them in the way that they deserve to be helped.

Just because they don't have money doesn't deserve... doesn't mean they don't deserve that defendant, or that defending, and that... humanity. Thank you.

[In Person Testimony – Philip Chachka] 3:02:55

I'm Philip Chachka from Portland Copwatch. Um, just a easy-to-do thing that city commissioners might be able to do is push for, uh, changes of directives to ban holding someone in a prone position for any extended period of time. And that should be something very easy to put through. We shouldn't have to list all the ways the police could kill people and ban those ways, but... This should be pretty easy.

[PCCEP Listening Session] 3:03:19

All right, thank you very much.

Thank you, everyone, for your testimony. Those who joined us virtually, as well as those in person. We're going to now turn it over to PCCEP, um, to Kip, I believe, to share about next steps.

[Kip Silverman] 3:03:43

I can read it from here, I think. So, um, so, again, I really want to thank everybody for being here and providing your input. Um, again, uh, this is... This isn't on this sheet, so I apologize, but, um, I know everybody that I've met on PCCEP over the two years I've been involved. This is hard work that we do, um, but it's really... We're just a conduit. The hard work is you guys showing up and spending the time and informing us and helping us. Hopefully bring the City and the PPB to a better place and advocate for things like PSR. So, thank you, everybody, for being here. Um, next steps on this. Your input from this event and any written feedback that you can send us to inform PCCEP's future, to work on this issue, so please, um. You can go to our website, I'll give you the URLs in a moment, but you can provide written feedback to us, uh, show up at our next meetings. Um, we will be, as mentioned before, we will be presenting to Judge Simon Federal Court next week, to provide a report, uh, our semi-annual report uh, on PCCEP and community concerns and sentiments. The input gathered tonight will, uh, well, may inform this report, is what it says, will help inform what we report on. Uh, and please join us for upcoming PCCEP meetings to follow our work. We hear public comment at every meeting, subscribe meeting updates. Uh, you can go to [www.tinyurl.com/PCCEPemails](http://www.tinyurl.com/PCCEPemails). You can also go to, um, get agenda notifications

under, uh, [www.portland.gov/council/agenda](http://www.portland.gov/council/agenda). Also, if you just search PCCEP, you will be able to find our entire website archive of meetings, so on and so forth. Um... And, uh. Let's see, what else do we have here? Oh, our email is PCCEP.. Oh, on the back, look at that. Um, uh... our email is [PCCEPinfo@portlandoregon.gov](mailto:PCCEPinfo@portlandoregon.gov). The website is <http://www.portland.gov/PCCEP>. We're also on... uh... what used to be called Twitter, uh, at PCCEPportland, don't go there. And Instagram. Um, well, I mean... I'm sorry, it's been a long day, and I'm just gonna rant on that damn... okay, uh, our Instagram is PCCEPpdx, please follow us there. And, um... I think that's it, so thank you, everybody. Yeah.

[PCCEP Listening Session] 3:06:48

Uh, yeah, just... Yeah. You know, just to wrap, uh, thank you so much. Um, really sincerely, thank you for the people who were able to show up, both in person and virtually, um, PCCEP exists in order to hear your perspectives, hear your questions. Um, and whatever you have to share. So thank you so much for coming. I think the PCCEP members as well. Thank you for being present and being, um, and listening and holding this space. And then we also want to thank the panelists that was here with us today, and that's Reverend Dr. LeRoy Haynes from the Albina Ministerial Alliance Coalition for Justice and Police Reform, Dr. Rochelle Silver with the Mental Health Alliance and, um, our attorney that was present with us is Jay Ashley Albies, who is a civil rights attorney. So thank, um, our panelists as well for showing up. I just want to remind folks again, I think we've hit it multiple times, um, if you have any additional comments, any documents you'd like to share with us, um, anything that you, um. Remembered that you were gonna say, but you didn't quite say, um, please email us at [PCCEPinfo@portlandoregon.gov](mailto:PCCEPinfo@portlandoregon.gov). Um, and then, also, you can reach out to us on our social media. Um, I'll just plug the Instagram one. Please follow us there, and send us comments there as well.

Um, and one last reminder, uh, we are recruiting new members. Um, so if, um, you, uh, want to get actively involved in what PCCEP does and holding space for the community, please, uh, go to our website and, um, sign up there, enter an application there. And we would love to have more members PCCEP does really great work. Um, join the team. Thank you.

[Dori Grabinski, PCCEP Program Manager] 3:08:38

Thank you, everyone. This was a real... this was a long night, um, thank you so much for being here. There's some extra food and drinks, please grab some on your way out, otherwise it's just a lot more work for me. So, yeah. This meeting is adjourned. Take care,

everyone. Appreciate you all. Shoutout! Shout out to Liz Taylor, PCCEP Program Coordinator. The real MVP!