



The League of Women Voters of Portland

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OIR Report to the City of Portland Concerning the In-Custody Death of James Chasse, Jr. City Council Testimony July 28, 2010

The League of Women Voters of Portland would like to thank Auditor Griffin-Valade for facilitating OIR's report on the in-custody death of James Chasse, Jr. The report provides a wealth of information, valuable recommendations, and is responsive to public concerns. The League has been involved in issues related to the police bureau and our oversight system for a number of years and appreciates the opportunity to comment on the report.

Although the OIR report does not provide clarity about the Independent Police Review Division's (IPR) role in the Chasse investigation, we are encouraged by its recommendation (#26) that IPR consider informing the community of the status and progress of ongoing investigations. On the third anniversary of Mr. Chasse's death, the Oregonian published a guest column expressing outrage over both the incident and the length of time it was taking to complete the investigation. IPR was not mentioned in that column or in other related news stories. The League suggested to the IPR director that she could provide a service to the community by submitting a response explaining the IPR's role in ensuring a thorough, impartial, and timely investigation. She did not act on our suggestion.

We encourage IPR to follow OIR's recommendation and keep the public informed about ongoing investigations. Knowing that an independent entity is overseeing critical investigations and working to ensure that they are thorough and fair should result in increased public trust. Furthermore, as OIR suggests, IPR presence at critical incident scenes will send a powerful message to the public that our oversight system is taking its responsibility seriously.

The report highlights serious issues with the Transit Police Division. The division consists of officers from various jurisdictions governed by the policies of their home agencies and held accountable to those policies. The Chasse case illustrates clearly the problems associated with such a disjointed system. If it is not possible to design a multi-jurisdictional system in which officers operate under one set of policies and are held accountable to those policies, then the city should consider recommending that TriMet take responsibility for its own policing.

OIR points to the importance of supervisory instruction during critical incidents and urges Internal Affairs Division to explore these issues in the course of their investigations (#11). The Police Oversight Stakeholder Committee is considering adding supervisory/management issues to the potential findings in misconduct cases. We urge you to keep the OIR

"To promote political responsibility through informed and active participation in government."

recommendation and commentary in mind when the committee's recommendations are presented to you.

The report reveals a lack of clarity around medical decision-making. In the interest of safeguarding the welfare of our community members, decisions about an individual's medical status and transport should be left to trained medical professionals. Bureau policies should make this clear and require documentation when those decisions are made at the scene of an incident.

In his acceptance speech, Chief Reese expressed his belief in the importance of public involvement in police policy. With that in mind, the League urges the Chief to share draft policy proposals inspired by the OIR report with the Citizen Review Committee (CRC) and the public. This will give the public the opportunity to provide feedback and assure the community that the bureau takes seriously the importance of learning from James Chasse's tragic death. As OIR pointed out, the Bureau already has made a number of significant policy improvements in response to his death. The League hopes additional changes will be discussed with the CRC and the public before adoption.

In the interest of facilitating and improving the quality of public participation, we encourage the auditor and council in the future to schedule hearings on critical reports such as this one at least a week after their release.

Again, we would like to thank the auditor and OIR for the valuable report. We also appreciate the willingness of the Bureau to provide OIR with the access it needed to do its job. Thank you for considering the League's views.