

Re: HB 747

To House Committee on Consumer Protection and Government Efficiency
c/o Ms. Channa Newell

Dear Ladies and Gentlemen;

I have practiced law for over 40 years in Portland, including the prosecution and defense of criminal homicide cases. For a number of years I have served as a civil case arbitrator for the Multnomah County Circuit Court. I also own and shoot "combat" type handguns.

I urge you to summarily trash can HB 747. It's a bad bill.

The relationship between the Portland Police Bureau, the City of Portland and its citizens on issues involving police use of force is a troubled and dysfunctional one. But it is one the citizens of Portland need to resolve, not this committee. Some important issues which I see include:

1. Effective and responsible use of a gun is necessarily a learned and practiced "muscle memory" function. PPB officers are provided with a surplus of procedures and a shortage of high quality, continuing weapons training

2. PPB officers have a well founded fear that they will not be given fair discipline in any "politically sensitive" case: one in which force is used against a person who is mentally ill or a member of a minority racial or ethnic group. This attempt at a legislative "end run" around contract mandated and reasonable appeal procedures would only make this worse.

3. To some degree as a consequence of 1 and 2, PPB has been allowed to develop a culture in which "officer safety" has been allowed to supersede the Bureau's duty to protect the public and to use just plain common sense. Portlanders are right to be very concerned about this.

4 The interplay among the above, and other, factors has produced some unacceptable results, including:

- A. Use of a bean bag shot gun at close range against a 12 year old girl,
- B. The unwarranted "pulverising" of the skeleton of James Chasse.
- C. The death of Mr. Campbell at the hands of Officer Frashour, and the subsequent attempts by the City of Portland to make Officer Frashour its scapegoat. (Mr. Campbells' death was the result of inadequate police training and incident management. Officer Frashour's conduct arguably should have been different. But any shortcomings were the result of the way in which he was trained and led. It certainly appears to me that the arbitrator reached a legally and factually correct result in the Frashour matter. Officer Frashour and any terminated Oregon law enforcement officer should have access to a similar quasi- judicial review of a termination decision. Elected officials have too often shown themselves to be incapable of making even handed decision in these types of matters.

Respectfully

Terry Hunt