

Statement of PPA President Daryl Turner Regarding SB 747

Before the General Government, Consumer, and
Small Business Protection Committee

April 10, 2013

Thank you Mr. Chair and members of the committee. My name is Daryl Turner. I am the President of the Portland Police Association. I have been Union President for nearly 3 years. I have also been a Portland Police Officer for almost 22 years.

There is a common misconception in the community and in the media that there are many use of force discipline cases in Portland; that the PPA challenges all of them; and that the Portland Police Bureau is reluctant to discipline police officers. None of that is true.

The case that best highlights these misconceptions involves the tragic death of James Chasse in 2006 and the subsequent discipline of Sgt. Kyle Nice and Officer Chris Humphreys, who is now Sheriff of Wheeler County. *The Oregonian* has cited this case as a prime example of what is wrong with binding arbitration in use of force cases in Portland. *The Oregonian's* reliance on this case is misplaced.

A common misconception is that Sgt. Nice and Officer Humphreys were disciplined for excessive force. In reality, the officers were disciplined for how they communicated with paramedics--not for excessive force. The PPA challenged their discipline because it firmly believed that the officers had not violated any police bureau policy. The arbitrator hand-selected by the City agreed with the PPA. In fact, the arbitrator also agreed with former Portland Police Chief Rosie Sizer, who described Mr. Chasse's death as a "terrible, tragic accident," and lamented that "the Portland Police Bureau and the individual officers [had] been unfairly demonized."

Police officers in Portland are some of the best trained, most capable officers in the country. Portland is also one of the safest major cities in the country. Our

community expects a lot from police officers. In return, we simply ask for due process when we are accused of making mistakes. Arbitration of use of force discipline cases is fundamentally fair and a key part of due process.

As the head of an association that serves the 900 hard-working officers in the City of Portland, it is disheartening to see the widespread misconceptions in the media and in the community manifest themselves in legislation such as Senate Bill 747. The labor arbitration system is not a broken system, but a system that ensures fairness to police officers who seek an independent review of discipline. As a society, we provide those that we arrest with certain rights, including the right to face their accusers, to have the charges proven, the right to due process, and to a fair and speedy trial. Through the labor arbitration process, we give Portland police officers those same rights when they are disciplined. Senate Bill 747 would strip away those fundamental rights.