
Police Professionals for Law Enforcement Accountability
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January 9th, 2018

RE: Written Testimony on police corruption/licensing of law enforcement officers, prioritizing rape and sexual assault investigations, and ensuring law enforcement professionalism and accountability.

Dear Senator Prozanski and members of the Judiciary Committee.

With the opening of the of the 2018 legislative session we would like to introduce our group and solicit your support in our efforts to change Oregon law enforcement for the better. We are a group of veteran law enforcement officers who have seen the various systems in place let down crime victims, allow bad cops to escape without being held accountable and agencies to quietly send problem employees down the road.

I have been in a position to report misconduct within my organization. As a result, I got an up-close and detailed view of where things can go wrong. I reported what I believed to be serious misconduct, of a type that would potentially result in criminal charges. Time passed, and nothing happened.

I continued to ring the proverbial bell, and was stonewalled. The employee retired. I knew DPSST rules regarding paperwork completed when an employee separates from an agency should have triggered some kind of investigation, but there was none. I was dismayed to learn DPSST hadn't been told the true nature of the employee's separation from the agency.

I was even more concerned when I told DPSST what actually happened, they said it was up to the agency to investigate itself. I was clear in telling them those in high places in the organization were potentially implicated in this, and had no incentive to impartially investigate this. Even if they did, this was still a huge conflict of interest.

A criminal investigation by another law enforcement agency later resulted in a criminal conviction, and only then was the former employee forced to surrender his certification. In my conversations with DPSST they still seem disinterested in investigating the misconduct that led to them getting a version of events which were factually incorrect. DPSST once again defers to the agency to investigate itself. That is a conflict of interest, and unrealistic.

This situation is troubling on many points, and DPSST's response is concerning. Our group believes most law enforcement agencies are doing the right thing. But that still leaves those who aren't and the question is how to address that.

Here are some steps we believe are necessary:

1: A law requiring a law enforcement agency to immediately notify the District Attorney within their jurisdiction of any complaint or allegation of criminal conduct by a police officer, including a felony, misdemeanor, or violation of the duty to report and investigate child abuse.

2: DPSST to operate an “Inspector General” or investigative branch to investigate LE members who violate the law enforcement code of ethics or commit other violations which could result in revocation of their law enforcement certifications WHEN and if the agency refuses to investigate. DPSST to operate as a “clearing house” for complaints to be forwarded to the appropriate agency and ensure investigation. This body would also act as an investigative entity when and if the allegation is against agency management or a department head and the agency refuses, or is unable to fairly and impartially investigate themselves.

3: A clear set of written standards for which an officer can be decertified and minimum written expectations for agencies to conduct investigations. We have seen many examples where the agency and DPSST have been the hammer or the shield and an inconsistent application of their broad authority. Where one agency may determine something is not misconduct and sweep it under the rug, another has reported it to DPSST who has been their “hammer” to decertify the officer. And we have seen examples where an officer has engaged in misconduct, even resulting in a criminal conviction but the agency and DPSST have collaborated to “shield” and protect the officer whose certifications have remained in tact.

4: Change the DPSST form F-4 (personnel action form) to make the document a sworn statement. Require DPSST to hold managers accountable who “kick the can down the road” with a problem officer by failing to accurately report the true nature of a members separation. There should be no disagreement that a bad officer fired from one agency shouldn’t get picked up in another community. For the past few months our group has implored DPSST to make the changes to the F-4 form and we are glad to see they have responded. But DPSST needs to hold agency managers accountable when they misrepresent the facts of an officer’s separation. No Law Enforcement Officer of any rank or position is above the law.

5: Steps need to be undertaken regarding strengthening protections for whistleblowers. As it stands currently, an employer may order their employee to refrain from speaking the truth about misconduct issues under penalty of discipline; including possible termination. This needs to change and agency managers who lie to the public should be held accountable. They should not be allowed to order a public employee who knows the truth to participate in the cover-up by being forced to remain silent for fear or being fired.

I submit this letter as a written testimonial to issues myself and other law enforcement members have observed and steps we believe necessary. Since the likes of Detective Frank Serpico; honest and professional law enforcement officers have taken the lead to maintain the integrity of

our profession. Myself, or members of our group are available for committee testimony or work sessions to continue to collaborate on these issues.

Sincerely,

Matt Swanson

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About PROLEA:

PPROLEA, or Police Professionals for Law Enforcement Accountability is a group of law enforcement professionals who believe integrity at all levels of law enforcement is necessary to maintain the public trust. PPROLEA has three primary goals:

- 1: DPSST to receive necessary funds and policy changes to operate as an investigative body for police managers when/if the agency refuses or is unable to investigate their own. To operate a clearinghouse and tracking of officer complaints referred to the agency for investigation.
- 2: Engage the Oregon Legislature for a law requiring law enforcement agencies to notify the District Attorney's Office if an officer is subject of a criminal offense.
3. To improve law enforcement training and response to rape and sex crimes investigations.

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