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Written testimony  
House Judiciary Committee hearing on HB 2712  
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Chair Barker and Members of the House Judiciary Committee:

My name is Lynn Fairweather, and I am a constituent residing in Southeast Portland. I'm writing in support of House Bill 2712, which would require Oregon law enforcement agencies to adopt written policies on officer-involved domestic violence cases.

I was born into a police family in New Jersey, where my father, brother, and uncle all served as decorated, long-time officers. Growing up, I learned that cops have one of the world's most difficult jobs, and although they often act as heroes while working, they are human beings just like the rest of us when they go home at the end of their shift. Although I have an immense respect and admiration for the men and women who choose this profession, I also know that they are far more likely to abuse their family members than someone who chooses a different one.

Throughout my 25-year career in the domestic violence (DV) response and prevention field, I have encountered many officer-involved DV cases, including those I handled while working in the Domestic Violence Reduction Unit at the Portland Police Bureau from 2005-2008. Being the most experienced advocate there, I was assigned to the officer-involved cases, because the bureau knew that they required special handling.

These cases, and ones like them all over the state, are considered a "different animal" for several important reasons:

- 1) Police officers are highly trained in tactics such as command presence and physical combat.
- 2) Law enforcement officers possess firearms as part of their job, and consistently practice using them to maintain proficiency.
- 3) Law enforcement personnel are also frequently mobile and unsupervised, allowing them to use police resources to stalk, intimidate, or otherwise abuse.
- 4) Police officers have relatively open access to nationwide data bases that can be used to seek information about victims and equipment that can potentially track their location, should they try to flee.
- 5) Law enforcement officers can also use their authority to get information out of third parties, who may fear arrest or violence themselves if they do not cooperate.

- 6) Police officers have close personal relationships with the co-workers that may respond to a 911 call, thereby giving them advantage to manipulate and control the situation, which often results in no arrests or reports made at all.
- 7) Law enforcement officers also have professional connections with district attorneys, judges, and others who may work on a DV case, thereby creating conflicts of interest that unsurprisingly, can fail to produce charges, indictments, or convictions.
- 8) Law enforcement officers are often given the benefit of the doubt by others in their community as well, who may not believe that a person in their highly regarded position would commit domestic violence.
- 9) Another way these cases are unique is that the victims of police officers, well aware of the previously mentioned factors, often have a greater level of fear and may be more reluctant to speak out. They may not want to go against the tightly knit “Brotherhood” of the shield, and engage with a professional culture known for protecting its’ own.
- 10) Lastly, victims usually know that taking out a restraining order, long advised as a protective tool for other victims, may have precisely the opposite effect in their situation, potentially raising their level of risk dramatically. This is because a domestic violence restraining order against a police abuser may result in the removal of their duty weapon, making them unable to perform their job. This typically results in the officer being relegated to desk work, an obvious change in position that could humiliate an already unstable individual with a great deal invested in the power of their role. A police officer who is the respondent of a restraining order or convicted of a domestic violence crime, will also likely have a hard time finding law enforcement work elsewhere, thus crippling their livelihood, and adding even more grievances to the list they hold against their victim (and possibly even their own department).

For these reasons and others, officer involved law enforcement cases *absolutely require* their own policy and protocol, in order to avoid the deadly mistakes that were made in the case of Deputy Sheriff Jeffrey Grahn. The relatively minor inconvenience and cost associated with this bill would be well worth it to police departments across the state.

I know that “good cops” like my father and brother resent the negative reflection that “bad cops” cast upon a noble profession. They *want* their colleagues to be held accountable for domestic violence, and they want to help keep the families of those officers safe. Any resistance this bill may encounter is far outweighed by the value of the human lives it will save, not to mention the decrease in legal liability that it will provide to Oregon’s law enforcement agencies.

Oregon’s police families need this bill, and I truly appreciate your careful consideration of this important issue. Thank you.