

July 15, 2020

Joint Committee on Transparent Policing and Use of Force Reform

Oregon State Legislature

Greetings,

My name is David Peterson. I currently serve as Trustee on the executive board of the Oregon State Lodge of the Fraternal Order of Police. I also serve on the Board of Directors of the Oregon Fallen Badge Foundation. I have been a fulltime law enforcement officer in Oregon since 2006. From 1998-2006, I volunteered as a Cadet, Search and Rescue Explorer, and Reserve Officer. I also was employed part time as a Public Safety Officer at OSU, as a county juvenile detention officer, and as a seasonal Marine Deputy, while attending Western Oregon University. I have served in patrol, investigations, and as a supervisor over the years. I have also had to use lethal force, and was a first responder to, supervising responder to, and supervising investigator to lethal force incidents, giving a practicable perspective from law enforcement about those types of incidents.

My immediate and large extended family have lived in all corners of Oregon for many generations. My wife of 12 years has worked at the Oregon Health Authority for two decades. She currently works in the Addictions and Mental Health Division, specializing in opiate addictions. Our 14 year old son is multi-racial, including African and Portuguese descent. I only mention my family because I believe it gives me a unique perspective on criminal justice issues in our state, that is often different from my colleagues.

While I have a broad perspective of the various law enforcement issues this committee and legislature is addressing, I appreciate your willingness for me to share a very specific issue related to the larger issue of accountability in law enforcement: What happens in an agency when the chief executive is not, and does not hold others, accountable to the high ethical standards that are critical to law enforcement officers in Oregon?

During my time as a law enforcement officer, I used to work at an agency that, bluntly, created a culture of ineptitude and unethical and illegal behavior. The culture devolved in over a period of just a few years, when a new chief executive began his tenure. In summary, I witnessed supervisors making jokes about races, cultures, sexual orientation, gender, etc. in front of subordinates. Other issues included those same employees lying on job applications, the executive had supervisors speak to union leaders about “making issues go away”, the forging of minimum training standards by the executive, the hiring of unqualified employees, the hiring of family members, the executive lying about his residency so he could be a sheriff candidate, the executive falsifying time sheets, and a myriad of other related issues. Frankly, if I were to list and describe all of the unethical behavior that was done by the executive, managers, and supervisors, it would take 10-20 pages. Unfortunately, the issues described are in summary and I’m not proud to admit, the tip of the iceberg.

As stated earlier, I have been involved in law enforcement for many years. I no longer recognized the profession once that person became the executive. I was ashamed and angry that these

behaviors were not only being tolerated, but being rewarded. One employee had the courage to report the issues and filed a complaint with the county's human resources department about being discriminated against because of their protected classes. An outside investigation was completed and the investigator wrote a scathing report of the culture I described above. The investigation's findings were made public and I hoped and assumed the executive would take steps to correct the culture. He did nothing. That report can be made available to this committee, if it desires.

Recognizing the agency was becoming more inept and corrupt with each passing day, I considered to be part of the solution by running for sheriff. There appeared to be no other options because the normal channels of reporting the issues to a supervisor only resulted in retaliation, not of solving the problems. After careful consideration, I chose not to run, because I was afraid the executive would retaliate and I would lose my job and ability to support my family. Almost a year later, he tried to do just that. Instead of addressing the issues, the executive decided to investigate me. Twice. Both investigations showed I did not do any of the things I was accused of. Ultimately, after living in that community my entire life, and after spending 21 years at the agency, I decided to leave and begin a new life at a new agency 150 miles away- starting again as a patrol officer.

My point is not to air out "dirty laundry" at an agency I thankfully no longer work at. My point is simple. That agency tolerated and rewarded the very issues this committee and legislature are trying to address because the chief executive was unethical at best. There were no outside agencies that were willing to investigate or hold the sheriff accountable: County Commissioners, Oregon Secretary of State's Office, the District Attorney, Oregon Department of Justice, and the Oregon Department of Public Safety, Standards, and Training all did nothing when given the information, while he attacked anyone that was willing to hold him accountable to the very standards he is entrusted to hold law enforcement officers accountable to.

We have a critical problem in Oregon law enforcement that is rarely discussed- there does not seem to be a mechanism for reporting unethical behavior when it is committed by high ranking officers, nor does there seem to be an entity responsible for investigating and holding those executives accountable. I would strongly encourage this committee to explore ideas related to better whistleblower protections for those officers willing to be courageous enough to report unethical behavior by other officers- outside of that officer's agency and local government structure. I would implore this committee to see how many millions of dollars CIS has paid to officers to settle lawsuits who were retaliated against because they had the courage to report unethical behavior by high ranking officers. Some other points of suggestions to hold high ranking officers accountable include giving DPSST the authority to investigate unethical behavior. As you know, they currently only review investigations, which can be problematic as most of the investigations are from the individual law enforcement agency itself. Other suggestions would be an oversight committee of some sort in the House and Senate, giving more resources to ODOJ to investigate, etc.

Ultimately, holding high ranking officers accountable is imperative to police reform and accountability. I have seen firsthand how one corrupt executive, with unchecked power, can affect scores of law enforcement officers and ultimately harm a community. There is no other group that can see the behaviors (good and bad) of law enforcement officers than other law enforcement officers. If this committee does not address a way for those law enforcement officers to safely report unethical behavior by people that have power over them, to an outside agency, then I am afraid we will not

achieve the reforms we are trying all get: having the highest ethical standards and accountability of any profession in our community.

In conclusion, as this committee tackles the important issues surrounding criminal justice and reform, I would love to be able to share my experiences in further detail. I absolutely abhor unethical behavior and do not anyone working in law enforcement that is willing to comprise their ethics. I believe we all agree on so much more than we disagree on. I want what this committee and most Oregonians want- trust and accountability for our amazing law enforcement officers, who literally risk their lives every day in the effort to better our communities.

Sincerely,

David D. Peterson

Trustee

Oregon State Lodge

Fraternal Order of Police