

September 3, 2020

Dear Committee Members,

I am writing in support of legislation being proposed related to transparent policing and use of force reform. In reading the four bills under consideration, I think they move us, as citizens of the State of Oregon, in a positive direction.

I appreciate the efforts of you fellow Oregonians serving in the legislature to thoughtfully consider these bills, to respectfully share your viewpoints, and to demonstrate the best of who we are as Oregonians. In my opinion, that means listening to each other with an open mind, withholding judgement until hearing the multiple viewpoints which surround these issues, and then moving this legislative action forward in a bipartisan manner (which may require some further negotiation). I applaud your initiative and hard work on this important matter.

I support these legislative initiatives personally knowing several police officers well and holding them in the highest regard and respect. For seven years (2007-14), as Associate Vice President for Campus Life at Lewis & Clark, I served as supervisor of the Director of Campus Safety who had worked as a police officer, then detective in SE Portland before coming to the College. His skills learned as a police officer translated to the campus community seamlessly, and his leadership earned the respect of students, faculty, and staff. During that period, I had several interactions with the Portland Police when they were called to campus, and all of those interactions were positive, well documented, and handled with the utmost professionalism.

In my seven year tenure as Dean of Students at Lewis & Clark (1993-2000), I also interacted with PPD on numerous occasions, and I always found officers to be professional, holding to the highest of standards.

In short, I am supportive of law officers, the vast majority of whom are highly professional and dedicated to serve and protect, and supportive of the first amendment rights of citizens expressing their political viewpoints. Unfortunately, a few have not acted in such a way, and they have not been held accountable in any transparent way. I am also personally

aware of overtly violent acts of some law enforcement officers, in particular against those experiencing homelessness and mental health issues in Portland. Those actions have been very harmful.

And, yes, it's hard to miss the nightly interactions with the small group of rioters/looters with law enforcement officers in Portland. Rioters and looters are, in my judgment, not protestors. They are committing criminal acts and should be arrested and held accountable in our judicial system, not simply given a free pass by the prosecutors.

That being said, the vast majority of protestors are peaceful, also exercising their right to express their opinions on Black Lives Matter, Me Too, and other societal matters.

I personally know of one Lewis & Clark professor who was injured by a rubber bullet (most likely from a federal officer). She certainly was not a rioter or looter. She was peacefully expressing her opinion in support of Black Lives Matter.

I am also supportive of this legislation owning a home in SW Portland which was "in the line of fire" several years ago during an exchange of fire between a suspect in a burglary in SW Portland who wounded a police officer using an assault rifle, also killing a K-9.

Returning fire from the suspect, several bullets hit our home, damaging our kitchen window, and other portions of our kitchen in the middle of the night. Fortunately, we had been notified by 911 to shelter in place and were not wandering around the house at that time.

I personally think the police had the right to return fire when under fire by a suspect. Our home happened to be in the way of the suspect's running away as he turned the corner. The police conducted a thorough search of our neighborhood, and the suspect was apprehended later in the day, indicted, tried, and jailed.

Later that day, police officers conducting a forensic investigation of the property damage were both respectful and professional throughout, and we were reimbursed for damages by the City of Portland through a process that was also fair and responsive to our documented damage to our home.

That day, I consulted with a PPD officer first about whether it would be wise for me to provide an interview to the local TV reporters who were parked at our home. I respect the opinions of Portland police officers. He suggested

that I not do so, sharing his concern that the suspect apprehended might have friends who would seek to do us harm. I took his advice and did not talk to the press, although my wife did visit with the Oregonian via phone to provide her thoughts (which were also supportive of the police and saddened by the injury to the officer and the killing of a K-9.)

Which is to say, this is a difficult issue but certainly in need of legislative action that reflects the best of who we are as a people, respectful of all (and that certainly includes law enforcement officers, prosecutors, the judiciary, the mayor, commissioners, and the governor).

Unfortunately, the City of Portland has become a foil for the current president in a "law and order" narrative he is using daily to further divide our country. More importantly, people do not feel as safe going downtown, and portions of the downtown area are now camps for those without shelter (not in these bills, but certainly related as police interact with the houseless population far more than average citizens).

I have learned that veteran police officers are retiring early, having been the objects of collective scorn and abuse by a small group of rioters/looters who are not being held accountable for their actions. So they will continue to disrupt, and good officers with a wealth of experience will go away. I find that very sad, and a loss for the City of Portland.

I cite one further example in a conversation I had this morning with a police officer who has been working downtown for the past several months. He is often "flipped off" as he drives his vehicle; he is harassed by by-standers because he wears the uniform (with his name on it); and just recently a young man threw a bottle at his car as he drove by. What did the officer do? He stopped his car, engaged in a conversation with the person, told him of his concern that he did not know what was in the bottle (it could have been bleach, acid, some other harmful substance), shared with the young man that he (the officer) was a family man, valued the protection of Constitutional rights for everyone, and that throwing a bottle at a police vehicle is not an act of protest, it is an act of violence. He then encouraged the young man (who is homeless, living on the streets) to think carefully about what he was protesting about, and ensure that he stayed "on message". Indiscriminately lashing out at the police is not helpful to anyone. The officer did not arrest him; rather, after engaging in that conversation, wished him a good day and drove on. I think that happens a great deal. It just doesn't make the news.

We put our law enforcement officers in difficult and dangerous situations every day and night. Yes, they should be accountable for their performance, and that performance should be more transparent in terms of how disciplinary matters are handled, engaging citizens further in the process.

But, as citizens of Oregon, I also think we should not continue asking the police to also serve as mental health counselors. And as citizens, we should take responsibility for not placing the police in the position of "last resort", which is to disperse a crowd using munitions as rioters are lighting fires, destroying property, and threatening the community by their actions.

Thank you for your reading of my comments, and for your diligent service with the Oregon legislature.

Sincerely,

Michael

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