



Community Oversight Advisory Board Meeting

Thursday, February 11, 2016

5:30-8:30pm

Ambridge Center

1333 NE Martin Luther King Jr. Blvd.

Draft Minutes

Members in attendance:

Michael Cahana
Se-ah-dom Edmo
Vince Elmore
Bud Feuleless
Catherine Gardner
Avel Gordly (via livestream)
Tashia Hager
Jimi Johnson
Laquida Landford
Ime Kerlee
Mireaya Medina
Paul Meyer
Myrlaviani Rivier
Rochelle Silver
Tom Steenson
Philip Wolfe

Meeting commenced at 5:30 PM

1. Welcome, housekeeping

2. Executive Committee membership vote

VOTE: Rabbi Cahana to fill vacancy on Executive Committee

Motion made by Philip Wolfe

Seconded: Myrlaviani Rivier

Yes: Se-ah-dom Edmo, Bud Feules, Catherine Gardner, Avel Gordly, Jimi Johnson, Ime Kerlee, Laquida Landford, Mireaya Medina, Myrlaviani Rivier, Rochelle Silver, Tom Steenson, Philip Wolfe

Abstained: Rabbi Cahana

Proposal passes: 12-1-0

3. Vote on weapons-related recommendations:

- **111215-3—Revise Directive 1040.00, Aerosol Restraints, to Clarify When the Use of Aerosol Restraints [Pepper Spray] Is Authorized (See packet for further explanation.)**

This recommendation is still in subcommittee for further discussion and revision.

- **111215-4—Revise Directive 1050.00, Less Lethal Weapons and Munitions, to Clarify When the Use of Beanbag Shotguns Is Authorized (See packet for further explanation.)**

Philip asked how officers were monitored in their training in order to be certified. How do they differentiate different body parts?

Tom said COAB has not looked specifically at beanbag training, but all certifications and training should be consistent with policy. Paul said certification courses are done on a silhouette. Some body parts are considered secondary like knees and elbows, while other areas that could be more harmful are avoided. Seattle has also been looking at this. The training is consistent with policy.

Rabbi Cahana pointed out an incorrect word — third paragraph from bottom, p. 68, “sword.” Tom clarified that the correct word should be “secured.”

Bud asked Paul why it seemed that some of the documented policies and trainings don’t always line up. Paul explained that to put the full text of the directives into the policy would mean pages and pages of extra length. He said the question now is to look at the lesson plan and see what is actually being trained. He pointed out that Seattle also has similar inconsistencies.

Kathleen said she heard the question differently. She said there is the statement saying the

recommendations are happening now, but the recommendations are not the same as what currently exists as policy. The recommendations are made based on existing policy but that doesn't mean they are the same. Paul said that training can be changed quickly, but changing stated policy can take more time.

Dan from Portland Copwatch mentioned that the use of the word "beanbag" for the bags filled with led pellets that can harm or kill individuals if ripped open is not accurate because they are not actual bean bags. They can be very dangerous in a crowded situation. Referring to them as non-lethal is a mistake. He also mentioned it would help if officers weren't allowed to have lethal shotguns because they couldn't confuse which rounds they were putting in it. Finally, he said there is no warning attached to the beanbag less lethal directive.

Paul replied to Dan's statement about warnings: there is a section in the current directive about warnings that is explicit. Paul also had concerns with some of the recommendations. Halfway down page 67 it says before resorting to the use of a beanbag shotgun, officers shall use all reasonable de-escalation tools and techniques which are available to them to avoid the use of such force. One of his concerns had to do with the word "shall." He agrees with having the de-escalation part in, but by using 'shall' it means that all of these things must be done before resorting to escalatory action, even in situations where force may be warranted immediately. Also, a warning shall be given prior to each round being fired is stricter than what the United States 9th Circuit Court says. This could possibly raise the risk of a shooting.

Tom said COAB shouldn't feel constrained by what courts say. COAB makes recommendations based on best practices so Portland can have policy that serves the Portland community and protects it from excessive use of force.

Mireaya mentioned that "shall" next to "consider" should solve these issues — she read them together as 'use your best judgement.'

VOTE:

Motion to accept recommendation 111215-04 made by Philip Wolfe

Seconded: Bud Feules

Yes: Bud Feules, Jimi Johnson, Laquida Landford, Ime Kerlee, Mireaya Medina, Tom Steenson, Philip Wolfe, Rabbi Cahana

No: Mireaya Medina

Abstained: Myrlaviani Rivier

Motion passes 11-1-1

- **111215-5—Rename and Revise Directive 1051.00, Electronic Control Weapon System, to Clarify When the Use of Conducted Electrical Weapons [Tasers] Is Authorized. (See packet for further explanation.)**

Tom asked if he had anything to add. He said this recommendation was extensively worked on and is modelled from both the Seattle and New Orleans United States Department of Justice (USDOJ) Settlements agreements.

Laquida asked what the age restriction was for Taser use, if any. Tom said that the subcommittee had not discussed that. Tom said at least 12, but he wasn't sure. There was a consensus that 18 would be better.

Myrlaviani asked if it would be good to research the effect these tools had on the brain development of a teenager, if any.

Philip asked if it was any difference when using a Taser in the rain, or if someone was wet. Paul explained that it doesn't pose a threat to involved officers nor to anyone who may also be involved. There is a chance that if someone has two prongs in them, electricity could travel from one prong to the other.

Ime asked if there was research on the impact of three Taser cycles, or any research on the impact Tasers have on the brain, body, etc. Paul replied, saying after two cycles, PPB officers should ask why it's not working. Research studied up to three cycles. Each cycle has to be reasonable and there needs to be articulation concerning why it is being used.

Bud said Electrical Control Weapons (ECWs) were raised as a special concern by the USDOJ. Use of ECWs against those in real or perceived mental health crisis doesn't seem to be in the recommendation language, even though it's an area of special focus for COAB. By passing this does the group feel like the recommendation adequately covers the issues, or will COAB members take this up further in Data Systems, Use of Force and Compliance subcommittee (DSUFC) and or Mental Health Crisis Response Subcommittee (MHCRS)? Tom said it would make sense to add it as a friendly amendment. Bud said it would make more sense to take it

through MHCRS.

Tasha, for later discussion in a subcommittee: “de-escalation tool” needs to be defined. There is a fairly comprehensive de-escalation policy that was passed which included not just physical de-escalation but words, time, etc.

Dan from Portland Copwatch was glad about the discussion around age. “Electronic control weapon” is a dubious name. There should be a better name for this. “Weapon” is the word to use for Tasers, guns, etc. “Tools” are things like verbal techniques.

Ime said there is a paragraph on page 72 that covers mental health issues.

Nancy said recent research on Tasers with a national expert found that males over 18 can still suffer damage because their cellular/brain growth and maturity has not finished. She doesn't think Tasers should be used at all due to their risk.

Jakhary said he has been tased. It sucked but after the five seconds, he could move, etc. It really wears a person out, but he would much rather get tased than punched.

Vince said he understood the feelings people had about youth being tased. Context also matters — it would be very hard to calm down someone who is 230 lbs. but under 18 without any aid. He asked if in that situation it would be reasonable to tase someone under 18.

Mireaya said in these situations, after someone has used all of their de-escalation tactics with no avail, then it is up to the officer to use their best judgement. One of her friends was tased and had a seizure; cops thought she was trying to fight them so they continued to tase her. These recommendations may sound good, but in reality if these weapons are used then officers need to use best judgement and take responsibility.

Friendly amendment #1 to recommendation 111215-5 vote:

Define “young children” who are perceived to be as young as 18

Motion made to approve friendly amendment by Bud Fueless

Seconded: Rabbi Cahana

Yes: Se-ah-dom Edmo, Jimi Johnson, Mireaya Medina, Myrlaviani Rivier, Rochelle Silver, Tom Steenson, Philip Wolfe

No: Michael Cahana, Bud Feules, Catherine Gardner

Abstained: Ime Kerlee, Laquida Landford

Motion fails 7-3-2

BREAK (Rabbi Cahana leaves)

Avel Gordly's yes vote for the friendly amendment came in late; this means the friendly amendment passes, 8-3-2.

Vote to approve Recommendation 111215-5:

Motion: Se-ah-dom Edmo

Second: Johnson

Yes: Se-ah-dom Edmo, Bud Feules, Catherine Gardner, Avel Gordly, Jimi Johnson, Ime Kerlee, Laquida Landford, Mireaya Medina, Myrlaiani Rivier, Rochele Silver, Tom Steenson, Philip Wolfe

Philip clarified for the public, and to set the record straight, that at the last meeting somebody said Amanda Fritz had called the police for someone experiencing a mental health crisis. He found out that it wasn't the correct story. She had tried to contact the person.

4. Presentation on mental health stigma: Dr. Amy Watson

Challenging the Stigma of Mental Illness:

What is stigma? A sociological definition

- Distinguishing and labeling differences
- Associating differences with negative attributes (stereotypes)
- Separating "us" from "them"
- Status loss and discrimination

How does stigma operate?

- Stereotype: negative belief of a group
- Prejudice: agreement with belief and/or negative emotional reaction
- Discrimination: behavior response to prejudice

Stereotypes and stigma impacts

- Stereotypes: dangerousness & unpredictability, incompetence, blame-worthy, childlike, relentless deteriorating course.

- Stigma impacts opportunities: participation in processes & decisions making, housing, education/employment, social avoidance, medical services, criminal justice.

Anticipated and experienced stigma

- Barrier to service access/utilization
- Individuals may limit social contact
- Choose not to pursue opportunities
- Demoralization
- Reduced self-esteem and self-efficacy

Three strategies for reducing stigma

- Protest (confront negative attitudes & representations): Letters to editor, letter writing campaigns, demonstrations, boycotts
- Education: some mild improvement in de-stigmatizing attitudes, may not “stick” over time, not clear it spreads to behaviors, may improve mental health literacy
- Contact: improves attitudes, improvements seem to stick, effects behavior, in person contact most effective, video and written accounts have impact

Public Comment:

Ime wanted to make a distinction between people who are abusing their partner and people being abused by their partner. She said that officers by the definition of their job have traumatic experiences, and may have past trauma from their lives too. It would be good to take into account the mental health of officers as well. Amy Watson agreed.

Kalei Luben said she has experienced many times “weird behavior” being used to describe people with mental health issues. The consequences of stigma can be terrible. People are far too uncomfortable with “weird” individuals. She thanked Amy for her stigma presentation, and apologized for the Portland community’s fear with weird, and that it ends with officers taking lives.

Laura said that police murder children, offering an example of an officer who killed a baby because he thought a pacifier was a gun. The officer was exonerated. There is real fear of the police and police aggression.

Kathleen wanted to point something out related to Laura’s comment, but Laura went back to the microphone saying she could talk for as long as she wanted, and repeating over and over that police officers kill babies.

Dan with Portland Copwatch recommended that COAB send all finished recommendations to the USDOJ individually if necessary instead of waiting and sending them in one large package. He also said that beanbags can indeed be considered lethal weapons. Also, the one-year

anniversary of the COAB is approaching, and the body still has not met with the Police Chief or Mayor.

Reverend Luke Walters asked COAB to consider a recommendation that would allow people in mental health crisis to ride in an ambulance instead of in the back of police cars.

Kif Davis, concerning Philip's previous comments regarding Amanda Fritz calling the police, said Philip was wrong, and that she did call them. He said he was arrested during that situation.

Kathleen ended the meeting with and thanked the COAB and the community for coming together and working so hard.

Meeting adjourned at 8:30 PM.