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**CITY OF PORTLAND
INDEPENDENT POLICE REVIEW
Confidential Taped Statement
Investigator Eric Berry**

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Interview Date: 06/08/2016
IPR #: 2016-B-0014
IPR File Name: 16b0014-simpson.pete
Complainant: Portland Police Bureau

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Interviewed: Pete Simpson

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HURLEY: Okay. This is acting Captain ERICA HURLEY. It is 2:15 on June 8th in Internal Affairs Division. Sergeant PETE SIMPSON, PPA DARYL TURNER and IPR ERIC BERRY and DEIRDRE PEREZ are here with us today. We are here for the IPR #2016-B-0014. Sergeant PETE SIMPSON has been advised that his conduct and/or the conduct of other Bureau members present on April 21st, 2016 at approximately 1638 hours at Harney County, Oregon is the subject of this investigation. He has reviewed information necessarily to be reasonably apprised of the nature of the allegations of the complaint so, have you?

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SIMPSON: Yes.

HURLEY: Sergeant SIMPSON has been informed that he is a witness member in the case and that IPR Director CONSTANTIN SEVERE is in charge of the investigation. I have advised Sergeant SIMPSON that he can have a representative present during the interview and PPA President DARYL TURNER is here in that capacity. Sergeant SIMPSON has been – oh, we don't do those. Sergeant SIMPSON, under the authority of the mayor of the City of Portland, I am ordering you to answer all questions fully and truthfully. If you fail to respond fully and truthfully, you may be disciplined up to and including dismissal. Do you understand?

SIMPSON: Yes.

HURLEY: Okay. Go ahead.

BERRY: Sergeant SIMPSON, thanks for meeting with us today.

SIMPSON: Absolutely.

BERRY: Just to give you a little background, Investigator PEREZ and I are assigned 2016-B-0014 and that's the administrative investigation concerning Chief O'DEA's accidental discharge incident up in Harney County. We're reviewing kind of the circumstances of who came to know what, when. That's why we hope to talk to you today. I want to be clear that you're a witness member. I don't anticipate that changing.

SIMPSON: Okay.

BERRY: So I just have some questions for you about how you found out about the incident and the things you did after you found out about it.

SIMPSON: Okay.

BERRY: Looking at my questions, I don't think I have any real surprises in there and as always, if you need to take a break or anything while we're doing it, just let me know.

SIMPSON: Okay.

BERRY: All right. I realized I'm not sure that I know your official job title. Is it spokesperson?

SIMPSON: Public Information Officer is the official title.

BERRY: Thank you.

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50 **SIMPSON:** But spokesman or spokesperson is generally acceptable.
51 **BERRY:** Common term?
52 **SIMPSON:** Yeah.
53 **BERRY:** Yeah. Okay. And in total, how long have you been with PPB?
54 **SIMPSON:** September will be 23 years.
55 **BERRY:** Excellent. And in terms of your time in law enforcement, is it all with PPB or did you work
56 another agency?
57 **SIMPSON:** Yes.
58 **BERRY:** Yes.
59 **SIMPSON:** Yes.
60 **BERRY:** All right. And how long have you been the PIO?
61 **SIMPSON:** This July, I think it will be six years.
62 **BERRY:** Six years?
63 **SIMPSON:** Yeah.
64 **BERRY:** Well, you know, I – we hear you quoted in the paper and stuff but I wonder if you'd be willing to
65 just describe your kind of daily job responsibilities.
66 **SIMPSON:** So it's all media relations with the Bureau so media, when they have a question about law
67 enforcement-related issues or Portland Police issues, generally it starts with me, either a page, a phone call
68 or an email. You know, routinely it's talking about crime or incidents that have occurred in the last 24
69 hours or so, case updates on things that they've covered in the past and then planning for future stories if
70 they want to do, you know, a feature story on drunk driving or gang enforcement or whatever it may be.
71 Outside of the day-to-day media relations stuff, I manage the – or supervise the communications unit so I
72 have TERRI WALLO-STRAUSS, JASON RUBY and MARSHALL SANTOS, all non-sworn employees
73 of the City of Portland and that's our communications team and we work on social media management. We
74 have a pretty large footprint of Twitter, Facebook, YouTube, Instagram and so it's developing content for
75 those. Working with units within the Bureau to do proactive, you know, branding or marketing, working
76 with – I get a lot of emails and phone calls from TV and film producers looking to do something with the
77 Police Bureau on investigations or, you know, COPS or those kinds of shows, reality police shows and so I
78 coordinate those folks as well and then I'm also the Crime Stoppers Coordinator for the Bureau so – and
79 deal with the Crime Stoppers stuff too so it's–
80 **BERRY:** It's a pretty full plate.
81 **SIMPSON:** Yeah, it is.
82 **BERRY:** It's always – from the outside, it seems like a real challenging position.
83 **SIMPSON:** Yeah. Yeah.
84 **BERRY:** Do you have a sense of how often in the course of your work you wind up just speaking directly
85 to the – to Chief O'DEA?
86 **SIMPSON:** Almost daily. I mean, some days it's, you know, no more than a casual hello or what's going
87 on kind of thing. He's, you know, coming out of the office, going to meetings or whatnot.
88 **BERRY:** Yeah.
89 **SIMPSON:** Some days, it's a little more if there's something, you know, we're working on that is of bigger
90 importance or certainly internal issues as they come up and we have to talk about them publicly. I'm
91 checking in with him, but it's – some days it's very minimal, some days it's more than others.
92 **BERRY:** Sounds like it kind of depends on what particular issues are in play at that time?

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93 **SIMPSON:** It does and it depends on his schedule. I mean, you know, he's – the time that I've been there,
94 while he's been the chief, I mean, he keeps his schedule pretty full so he's always going to meetings or in
95 meetings and so we don't, you know, talk every day. We don't have a set time that we meet and talk every
96 day and most of what I do, I don't need to go through him. Most of it's just daily routine media relations
97 stuff but if there's a larger impact to the Bureau or on, you know, larger policy type related matters, then
98 that's when we're probably going to have a conversation about, you know, where do you want to go with
99 this or what's the direction of the Bureau.

100 **BERRY:** Now, I don't – there's a lot I don't know about the footprint up here but the Communications Unit
101 is situated pretty close to the chief's office, isn't it?

102 **SIMPSON:** It's – as you walk into the chief's office, the main office, I'm directly in front and the
103 Communications Unit is next to me. You go down the hall all the way around and that's when you start
104 getting to the assistant chiefs and eventually the chief is at the opposite end of the office.

105 **BERRY:** Okay.

106 **SIMPSON:** Yeah. So if it's a big L shape – you know, if this is the office, I'm here, he's all the way around
107 here.

108 **BERRY:** Okay.

109 **SIMPSON:** There's a back door over here that goes to the back hallway but I often be – I'm mostly the
110 greeter for the chief's office, let people in the door and things like that to him, yeah.

111 **BERRY:** Well, I'd imagine people are coming and going all the time.

112 **SIMPSON:** Constantly, yeah.

113 **BERRY:** Yeah. Well, this might be too broad of a question for you to answer. We were talking about
114 having – the contact you had with the chief. Who else in the Bureau do you have contact with in the course
115 of your work?

116 **SIMPSON:** Boy, just about everybody.

117 **BERRY:** Yeah.

118 **SIMPSON:** I mean, you know, all the assistant chiefs at some level, the detective division commander,
119 precinct commanders, precinct captains, detectives, you know, and the sergeants, officer. I mean, in the
120 middle of the night, I'm calling who's out at the scene of the fatal crash or the shooting and so I'm talking to
121 people directly at the scene all the way through the entire organization so usually I'm not – usually I don't
122 talk to Internal Affairs too much but you know – well, you know, yeah, so it's nice to be here.

123 **BERRY:** Well, thank you for that. You know, there's a lot we don't know about how stuff functions so I
124 appreciate you explaining it.

125 **SIMPSON:** Yeah.

126 **BERRY:** To kind of jump forward a bit, can you tell me how you first became aware of the shooting
127 incident out in Harney?

128 **SIMPSON:** Yeah. So it was Friday, the 20th of May.

129 **BERRY:** Okay.

130 **SIMPSON:** And I was in the middle of working on a news release and talking to detectives about a death
131 investigation in south – Northeast Portland. It turned into a homicide. In the middle of that process, my
132 phone rang. I saw that it was NIGEL JAQUISS from Willamette Week, caller ID, and let it go to voicemail
133 because I was trying to finish this up. Shortly after that, he – an email popped up from him saying please
134 call me ASAP with his phone number, so I called him back because I sent the news release out on the
135 homicide at 1:52 p.m. At 1:53 is when his email came through so the phone call was right about the same
136 time, and I called him back and said hey what's up and he said hey, I know you're busy with the homicide
137 but I've got a very reliable source who told me that either Chief O'DEA or one of the assistant chiefs was

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138 out hunting this week and accidentally shot someone, can you confirm that. And I was kind of astounded
139 by the story and I talked out loud with him on the phone and I said, I mean, no I haven't heard anything
140 about that. The chief just left my office five minutes ago. In fact, I think they've all been in town this week
141 except for one and I don't think he hunts, but I'll go check and I'll give you a call back. So I got up, walked
142 down the hall to the chief's office. He was at his computer typing and I said hey Chief, I just got a call from
143 the Willamette Week and they're asking me if a chief or assistant chief was in a hunting accident and shot a
144 friend or shot someone, do you know anything about that? And he looked at me – I would describe it as an
145 ashen look. He – like the blood drained from his face and he said shut the door. It was at that moment that I
146 realized that there was something to this. Had not heard a word about it prior to NIGEL calling me. Shut
147 the door – you just want me to run through it or–

148 **PEREZ:** Yeah.

149 **BERRY:** Yeah, yeah.

150 **SIMPSON:** Okay. Shut the door, went to his conference table and sat down and he came over. He said
151 well, it was me. It was when I was on vacation a couple weeks ago. It was a friend of mine and, you know,
152 he's okay. He's been great through this and Harney County's – he said Harney County's doing the
153 investigation and Professional Standards is doing the internal and I said okay. I was pretty stunned at what I
154 was hearing and especially hearing it three weeks later and realizing that, you know, this is going to be a
155 challenge as a crisis communicator. It's going to be a challenge especially being three weeks later and he's
156 the Chief of Police. I said okay, how do you want me to respond and he said I don't know and I could tell
157 he was – you know, he wasn't ready for that question. He wasn't ready, in my view – that he hadn't thought
158 this through as far as how to respond publicly. And I said okay, why don't I go work on something and I'll
159 bring it back to you for you to look at and he said okay so I did that. I typed up – and I'll give you all these
160 papers.

161 **BERRY:** Yeah. Thank you.

162 **SIMPSON:** I typed up an initial statement and then handwrote some things in there. I typed up the initial
163 statement, took it back to him, we sat down and he provided some input and then I handwrote like a
164 statement, a quote from him about his friend and just kind of – almost kind of ran through some thoughts
165 handwritten and he said okay, go – you know, we scratched this and moved that, go retype that and let me
166 take a look. I – somewhere either there or prior to walking out the first time, I said well, you might want to
167 call your friend and let him know that, you know, the media is aware of this. And as a standard practice for
168 my job, if, you know, media is asking about something, I try to be courteous and let the person know,
169 whether it be another law enforcement agency or a business or the school district or whatever. We try to
170 collaborate and nobody likes to be caught off guard.

171 **BERRY:** Right.

172 **SIMPSON:** And so it's either the first time I walked out or this time I walked out, I told him I would
173 suggest you do that so he did – or he – I came back in, he said I called and left him a message and I came
174 back with the final draft which is what I have here. And while I was sitting there, he got – his phone rang
175 and he said oh, that's him and he answered the phone, hey Bob, and I could hear a voice through the phone,
176 couldn't really hear what was being said but they were talking. He was telling him something to the effect
177 of a – you know, how you doing, you know, how you feeling, Willamette Week newspaper's calling about
178 this, and I don't know if it was LARRY or I could hear through the phone that something to the effect of
179 well, I'm not talking to them which I think it was a voice through the phone real loud because it's just –
180 that's the statement that sticks in my mind.

181 **BERRY:** Mm-hm.

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182 **SIMPSON:** And he got off the phone and we looked over the statement again to make sure it was, you
183 know, what he wanted and I said okay, I'll send it to NIGEL. You know, I'm going to call Harney County
184 and give them a heads up that Willamette Week is asking about it and – you know, he had said during the –
185 I'm gonna back up a little bit. When he is describing the incident, he had said that initially, they didn't –
186 they – he said we didn't know what had happened. I mean, he didn't just tell me who was there, I mean,
187 other than the name Bob on the phone, I didn't know that anybody else was there at that time. He said that
188 we didn't know what had happened. I thought he shot himself because he was wearing a tanker holster and
189 he asked me if I knew what that is and I said I don't and he said well, it's a like a cross-draw and it pointed
190 straight down and said so I thought he shot himself but it was only later, a couple days later, we were all
191 talking and through like deduction and elimination, figured out it was my gun that went off. And he said
192 the deputy that came and took the report said he was going on vacation and he wouldn't be back for a
193 couple weeks and he said that – I think I asked him if he heard from him and he said no, I haven't heard
194 from him at all. So then fast-forward back to where we are. I said okay, I'll send the statement to NIGEL
195 and I told him, I said, you know, we'll try to manage this but it's going to hurt and, you know, my
196 experience doing this job for almost six years and being through a number of different, you know, crises, if
197 you will, is that, you know, I recognized through my lens that three weeks after the fact, the type of incident
198 it was and that he's the Chief of Police, that this is going to be a challenge and I wanted him to know that,
199 from my professional advice is this is going to hurt. Um, so he acknowledged that. He nodded and I walked
200 out of the room. I called Harney County cold. I just called the sheriff's office, asked for if there was a
201 supervisor available. They connected me with a Lieutenant BRIAN NEEDHAM–

202 **BERRY:** Okay.

203 **SIMPSON:** –and got on the phone and I told him who I was and why I was calling and he said yeah, we
204 won't be talking to them. It's an ongoing investigation. I said okay, do you want me to send you the
205 statement that I'm going to be sending the media and he said yeah, that would be great so he gave me his
206 email address. I emailed him the statement one minute before I sent it to NIGEL JAQUISS at Willamette
207 Week. I'm trying to think. After that, I left. I don't know that the chief and I had any other conversation
208 after I sent it. I headed right out to the homicide scene to deal with that issue. As soon as I got there – or on
209 the way there, the chief texted me – or right when I got there, I guess it was, MAX is asking – meaning
210 MAXINE BERNSTEIN, see your email, also please send your statement to mayor, JOSH ALPERT,
211 DEANNA WESSON-MITCHELL and SARA HOTTMAN, who's the mayor's PIO – SARA HOTTMAN
212 please, thanks. So I – from my car, I said done, everyone has it now. He said thanks. At that point, I'm
213 getting all the media asking – I did my quick interviews at the scene of the homicide, left the scene, then it
214 was the emails started and the phone calls to confirm the Willamette Week's story that it's just been tweeted
215 so then I provided the same statement to every media outlet that asked. I got a question about why there
216 was no public notification and I just responded – and I told the chief this was my response – "question of
217 why this was not made public" and here is the answer I provided, "The chief notified the mayor,
218 Professional Standards and some senior staff but otherwise chose to keep matter private as it was an off-
219 duty incident while on vacation." And I included senior staff in there because, backing up, the chief – when
220 we were in the office, he told me he had told the assistant chiefs as well. He informed them of what he had
221 told me that Harney County was doing the investigation criminally, Professional Standards was doing the
222 internal and that he'd notified the mayor and he was just informing them as part of his senior staff, so I
223 included that with responding to media about that particular question and he replied thanks. So that was–

224 **BERRY:** That's the overview.

225 **SIMPSON:** –kind of the marathon two hours of how I found out and then what was said between the chief
226 – what the chief told me and then how I responded to the inquiry.

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227 **BERRY:** That's a pretty busy Friday afternoon.
228 **SIMPSON:** Yeah. It was – I mean, and again, dealing with the homicide, it was like I'm getting ready to go
229 deal with that and then the phone call from NIGEL and I knew that when NIGEL's calling on Friday
230 afternoon, it's not just to say hi.
231 **BERRY:** Yeah.
232 **SIMPSON:** I mean, I have a good working relationship with him but I – you know, it usually means
233 something significant, knowing the work that he does but I think if, you know, I could describe my feeling
234 at the moment he asked me that question, it was like incredulous. Like there's no way I wouldn't know that.
235 There's no way that happened and somebody didn't tell me and then when the chief said shut the door, I
236 think the feeling was, oh my god. Really, this happened and you didn't talk to me about it, you didn't say
237 anything. So yeah, that was Friday.
238 **BERRY:** That was Friday.
239 **SIMPSON:** That was the early part of Friday. Later, we did have text communication, the chief and I did,
240 which I have for you.
241 **BERRY:** Oh good. Well, and you've described part of what he said already. Do you remember what the
242 chief said about how the incident happened, how the shooting happened?
243 **SIMPSON:** You know, to the best of my recollection, he said he had set his rifle down next to him and he
244 was like it was a chair with maybe a table on it and he set his gun down next to him and I don't remember if
245 he said he went to grab it and it went off or it went off when he set it down but it was, you know, negligent
246 discharge. And in describing, you know, the hunting he was doing or the shooting he was doing, I knew
247 what it was. I know other people who have gone – they call it rat hunting–
248 **BERRY:** Yeah.
249 **SIMPSON:** –and they, you know, sit in chairs with like a platform for your rifle, is what it is so I knew –
250 in my mind, I knew what he was describing but I want to say he motioned like he set it down here, the guy
251 was next to him here and that it went off and, you know, that he was – you know, the chaos of loading him
252 up, getting him to the hospital and the airlift.
253 **BERRY:** Yeah.
254 **SIMPSON:** But I remember specifically, he said it was later – I want to say he said – my recollection is he
255 said a couple days later, we were all talking and by deduction figured out it was my gun.
256 **BERRY:** Yeah.
257 **SIMPSON:** And I thought that was weird like–
258 **BERRY:** Well, that's what I was going to ask you about. Did he say much about his deductive process,
259 the–
260 **SIMPSON:** No. I think – my memory is that he talked about the other people were talking about where
261 they were seated and it couldn't have been mine and based on where he was hit and all that, that it couldn't
262 have been these people. I don't recall him actually telling me who he was with. I don't remember. I
263 remember learning that MIKE LIEB, was there, retired Sergeant and STEVE BUCHTEL was there but I
264 don't believe he mentioned the names to me at the time.
265 **BERRY:** When he's relaying it to you?
266 **SIMPSON:** Yeah. I don't think so.
267 **BERRY:** And he mentioned – he said they're hunting sage rats or rat hunting?
268 **SIMPSON:** Rat hunting, yeah.
269 **BERRY:** Yeah.

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270 **SIMPSON:** Yeah. Because he even said – I mean, even in the statement – you know, initial statement I
271 wrote was, "Chief LARRY O'DEA was on vacation in late April hunting in Harney County," and he said
272 no, take out hunting because it's not – nothing's in season and I said okay, target shooting. Well, no. You
273 know, and I don't think he wanted to say, you know, shooting sage rats but it was implied – I knew what it
274 was because, like I said, knew people that have done it so – but he specifically wanted hunting taken out
275 and so we never used the word hunting in any official correspondence with media.

276 **BERRY:** Did he talk about drinking alcohol at all?

277 **SIMPSON:** He did not.

278 **BERRY:** Did he mention alcohol?

279 **SIMPSON:** No.

280 **BERRY:** Okay. Did he – describe – or did he say much about his own contact with Harney County or the
281 Sheriff's Office?

282 **SIMPSON:** The only thing he talked about was that they were investigating and the deputy who came and
283 took the initial report said he was going on vacation for three weeks and he'd get back to him after that and
284 then I asked him if he'd heard from them at all and he said he had not.

285 **BERRY:** Yeah.

286 **SIMPSON:** You know, I think the email that I sent to the lieutenant at Harney County may have been the
287 only contact Harney County had from the Portland Police Bureau. That's the impression I got on the short
288 phone call with Lieutenant NEEDHAM.

289 **BERRY:** Yeah.

290 **SIMPSON:** It was almost – and I don't – and again, it could be a personality thing but it was almost kind of
291 like gruff on the phone with me like the Bureau's calling me about this but–

292 **BERRY:** Yeah.

293 **SIMPSON:**–it could be a personality thing but he did seem to perk up when I said do you want me to send
294 you a statement and he says yeah, that'd be great so–

295 **BERRY:** Well, it would've been kind of a difficult cold call to make, I imagine, out there.

296 **SIMPSON:** Well, you know, honestly, at the moment I made the call, I assumed they had – they were fully
297 aware of everything and, I mean, it's not the worst call I've ever had to make but it was just out of courtesy,
298 like I said. I mean, I – even today dealing with an issue around Portland public schools, I'm communicating
299 with their agency just to make sure that everybody is on the same page of information and that I'm not
300 missing something, they're not missing something and just professional courtesy so it was an awkward call
301 because of the situation but–

302 **BERRY:** Well, so you've described kind of a back-and-forth with the chief about drafting an initial
303 statement and of some follow-along contact, him directing you to provide that statement to different people
304 in the mayor's office. Other than working to get that statement out there, can you think of anything else he
305 directed you to do?

306 **SIMPSON:** I don't think so in those moments. Let me look at rest of the text messages.

307 **BERRY:** Yeah.

308 **SIMPSON:** He had forwarded Friday evening – that same day, Friday, May 20th, he had forwarded me an
309 email that he had received from MAXINE BERNSTEIN asking a series of questions. I responded to him by
310 a text, "I would not respond" – "I would suggest you do not respond to the email inquiry until the
311 investigation is complete or until you have talked to OSP." And I don't remember why I said OSP, if he had
312 said – maybe in the interim, I had learned that OSP had taken over. I think that's – the news hit and then I
313 think Harney County had responded to the media saying OSP is doing it. I then said, "If you've considered
314 talking to counsel outside the Bureau, I would recommend SEAN RIDDELL. I can give you his number if

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315 you like," because at that point, I – he had not mentioned getting an attorney. I didn't know if he had one
316 but in my mind, I'm thinking, you know, you're under criminal investigation. As an advisor to you
317 professionally, that I want to at least make you think about that and his response was, "Just forwarding you
318 the info as an FYI. Talked with OSP and State DOJ tonight as they took over for Harney. They anticipate
319 being closed in one week. I and we will not be responding as it is still open and then we have our normal" –
320 or "then we have our internal processes. You and I can talk Monday on next steps but have no criminal
321 concerns at all. Was an accident. Thank you very much." And I responded okay and then he sent a final
322 text, "And also very sorry to add this to your already impossible job," and I replied, "Thanks, I appreciate
323 that, sir" and we didn't talk again or text again until Sunday the 22nd – or Monday. Sunday then Monday.
324 **BERRY:** All right. Well,, you anticipated one of my questions or you addressed it partially. So in learning
325 that Harney County is investigating the matter and then at some point learning that OSP and Oregon DOJ
326 are investigating the matter, was it your understanding that that's a criminal investigation?
327 **SIMPSON:** Yes.
328 **BERRY:** Yeah.
329 **SIMPSON:** And that was my impression – as soon as he said Harney County's investigating, there's no
330 doubt in my mind it was a criminal investigation or, you know, in his mind either. They wouldn't be doing
331 an internal investigation.
332 **BERRY:** Right. Right. All right. What was your understanding of how the Bureau was going to respond to
333 this incident beyond issuing the statement that you did?
334 **SIMPSON:** What do you mean?
335 **BERRY:** Are you doing to do – is the Bureau going to take any other steps or respond to this incident, that
336 you're aware of?
337 **SIMPSON:** I don't. I mean, the only thing we – I neglected on Friday to suggest he send out an internal
338 statement which is, you know, in the fog of the incident for me, I overlooked that step which I usually –
339 anything internal, we try to make sure the internal audience hears it through email also.
340 **BERRY:** Yeah.
341 **SIMPSON:** So then Monday, I began a conversation with the chief about that, doing an internal statement
342 and as we are having that conversation, he was given his communication restriction orders so that changed
343 dramatically what he was going to be able to say, so then we worked on an internal statement that basically
344 said I've been given a CRO and I can't talk and I'm sorry you heard about this from the news, and I have
345 that for you as well. It was sent out internally on Monday but–
346 **BERRY:** So that's that Monday. That would've been the 23rd or something?
347 **SIMPSON:** I believe, yeah.
348 **BERRY:** Yeah.
349 **SIMPSON:** Yeah. It was sent out just after – just before 1:00 on the 23rd but the conversations were in the
350 morning when that all kind of came about. But other than that, I – you know, I didn't have any substantive
351 conversations with anyone about what the larger organization would be doing about this. I know I talked to
352 Assistant Chief DAY over the weekend at some point and a couple other people, you know, that called me
353 and texted me after this all came out like what in the world and I relayed – you know, I relayed the
354 conversation the chief gave me and what I saw and kind of a whole – my whole experience to say at least
355 I'm pretty sure all that I talked to BOB DAY about. I think maybe Lieutenant ANDY SHEARER but, you
356 know, it was phone calls, text messages were coming in, you know, every direction when this hit. It was
357 just – there was so much energy behind it and surprise from people that – yeah. A lot of conversations over
358 the weekend.

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359 **BERRY:** Well, my memory of that Friday and the weekend and the first part of that week is that there was
360 almost a story every day about it–
361 **SIMPSON:** Yeah.
362 **BERRY**–and it was just kind of continually evolving.
363 **SIMPSON:** It was slow at first but then it picked up steam very quickly and, you know, by Monday it was
364 really rolling as far as the different news outlets getting information from Harney County and
365 CONSTANTIN called me Monday morning to say they're putting out a press release about the
366 investigation and so that generated stories and I think – and within that, I said hey, we're about to send out
367 an internal message, can – you know, can we send out that before you send your news release and he said
368 yeah, that's not a problem so it was like a five-minute difference.
369 **BERRY:** Yeah.
370 **SIMPSON:** But other than, you know, like the bigger picture stuff, nobody came to talk to me about any
371 formal, you know, arrangements or plans.
372 **BERRY:** Yeah. And I want to make sure I remember right. Earlier, did you say that the chief said that
373 Harney County is doing an investigation and that Professional Standards is doing the internal investigation?
374 **SIMPSON:** Yes. He said Harney County is doing the investigation. I don't know that he used the words
375 criminal or not. I can't remember but it's implied –
376 **BERRY:** Yeah.
377 **SIMPSON:** – and that Professional Standards would do the internal which to me was – you know, that –
378 telling me that is like okay, that's what's supposed to happen –
379 **BERRY:** Yeah.
380 **SIMPSON:** – and you notified the mayor and – I mean, setting aside my own frustration with, you know,
381 you didn't come and talk with me about this and, you know, think about the messaging overall. Aside from
382 that, you've done what you're supposed to do, at least, by notifying the right people. That was my thought at
383 the time.
384 **BERRY:** Did he describe in any fashion the internal investigation or talk about what Professional
385 Standards was doing or who was doing it?
386 **SIMPSON:** He did not.
387 **BERRY:** No? Just said that Professional Standards was doing–
388 **SIMPSON:** Yeah. And I think the – looking at my papers here. I mean, it was specific to – the statement
389 we sent out that he approved was specific to say, "Chief O'DEA reported the incident to Mayor CHARLIE
390 HALES and to the Portland Police Bureau's Professional Standards Division captain." Beyond that, he did
391 not say how the investigation would be done or, you know, by whom or – but he –
392 **BERRY:** By who, yeah.
393 **SIMPSON:** – but he – but those two boxes had been checked in my mind based on his statement.
394 **BERRY:** Yeah. And you talked about emailing that statement to some folks in the mayor's office like
395 SARA and JOSH?
396 **SIMPSON:** Right.
397 **BERRY:** Other than sending that statement over, have you had contact with folks over in the mayor's
398 office about this?
399 **SIMPSON:** Limited. SARA HOTTMAN and I. I've just exchanged some text messages more general
400 about timing of any announcements, you know – it was that following week following the issue and so the
401 communication restriction order, you know, what's going to happen now and I knew that the mayor's office
402 was – I knew that the chief was over there at some point and the mayor – you know, maybe there was a

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403 change in course. I was kind of hearing that maybe they'll be something more administrative going on,
404 texting with her to try to understand timing wise and how it's going to be announced and – she's the
405 communications spokesperson so she's my counterpart –

406 **BERRY:** Yeah.

407 **SIMPSON:** – which again is normal to talk about, you know, things involving the Bureau. Other than her,
408 nothing substantive with – certainly not the mayor, not JOSH ALPERT. DEANNA WESSON, I think in
409 passing and I don't believe she was part of the phone – or the text conversation with SARA. I think it was
410 just SARA and I but certainly nothing in that immediate moment from them.

411 **BERRY:** Okay. So some limited contact with SARA, JOSH and DEANNA.

412 **SIMPSON:** Which is pretty normal contact, really, but limited.

413 **BERRY:** Yeah. Do you feel like it'd be normal for you to have the most contact with SARA over there
414 cause she's –

415 **SIMPSON:** SARA or DEANNA, yeah.

416 **BERRY:** Or DEANNA.

417 **SIMPSON:** The contact was normal from a normal business practice standpoint.

418 **BERRY:** Yeah. And do you have any knowledge about how the chief learned he was going to be placed on
419 administrative leave?

420 **SIMPSON:** I don't.

421 **BERRY:** And do you remember, in your conversations with the chief as you're going over the statement
422 that you're going to release, did he ever talk about the possibility that he might be placed on leave?

423 **SIMPSON:** He didn't. On – I think it was Monday morning when we were in the midst of talking about an
424 internal message, I suggested to him that maybe he might consider taking some time off. He told me he was
425 taking Friday on vacation anyway and I said well, you might, you know, consider taking some more time
426 and letting things kind of play out a little bit. He didn't seem too interested in that and it was, you know, my
427 soft attempt to try to get him to understand the gravity of the situation but, you know, I don't have the
428 relationship with him like I've had with other chiefs and command personnel, to be more frank and honest.

429 **BERRY:** Yeah.

430 **SIMPSON:** I just – we've never developed that but I was trying to be as honest as I could with him and
431 looking out for the Bureau's best interest as well as his and – but he didn't mention admin leave at that
432 point. I don't – and again, I'm trying to remember how I knew he was going on admin leave. I think he
433 came back from the chief's office and – or came back from the mayor's office and somebody had told me
434 that was going to happen, either it was one of the other chiefs. Maybe DONNA because she was going to
435 be the acting.

436 **BERRY:** Yeah at that time.

437 **SIMPSON:** Yeah.

438 **BERRY:** All right. Well, stepping away from the chief for a moment, how would you describe your own
439 working relationship with Professional Standards?

440 **SIMPSON:** It's fine. I really don't have one. Fortunately.

441 **BERRY:** Well, that's what I was – that was going to be my next question is if you do have a working
442 relationship.

443 **SIMPSON:** Yeah. What – where my job intersects with Professional Standards has been when we have
444 officers in either criminal investigation or internal investigation and it's a public event, whether it be like
445 the 25th of April, I believe it was, [REDACTED] was arrested or cited for DUI in a crash.

446 **BERRY:** Yeah.

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447 **SIMPSON:** Or going back to officers who have gotten in trouble for administrative functions so I may
448 have a phone call about where the process stands. It's more of those kinds of questions but generally
449 speaking, you know, most of that stuff is confidential and therefore, it doesn't come to me.

450 **BERRY:** Yeah.

451 **SIMPSON:** I don't generally know what's going on with investigations until they're done and then only if
452 it's a public – if there's a public interest or impact, that's where I get brought in or I hear about it and I have
453 to go hey, are we going to talk about this or–

454 **BERRY:** Tell me what happened?

455 **SIMPSON:** Yeah. Because there's media interest or something like that so–

456 **BERRY:** Have you spoken to anyone at Internal Affairs about this particular incident, the negligent
457 discharge?

458 **SIMPSON:** Not in particular. The only – well, the interactions I've had with Lieutenant HURLEY was just
459 about how I do my job, how I answer questions about it without violating the communication restriction
460 order so a couple of media inquiries came in and I ran them by Lieutenant HURLEY to make sure that my
461 answers were not in violation and they weren't. They were more outside of what we're talking about. They
462 were more process-oriented.

463 **BERRY:** Yeah.

464 **SIMPSON:** Or things that had already been covered earlier so – and other than that, I don't think I've
465 talked to anybody directly here about that or this.

466 **BERRY:** Do you remember when and how you learned that an internal investigation did get started?

467 **SIMPSON:** CONSTANTIN SEVERE called me Monday morning to say they're–

468 **BERRY:** Like sending out a release?

469 **SIMPSON:** –sending out a statement and that it would be that they're doing an investigation.

470 **BERRY:** Okay. So it was that Monday?

471 **SIMPSON:** It was that Monday and we chatted a minute about he found out from Willamette Week and I
472 said so did I, so we shared a moment there and that was how I learned informally there was an
473 investigation.

474 **BERRY:** Yeah. Well, kind of broadly speaking, what's your understanding of how the Bureau is supposed
475 to respond when it learns that a member is the subject of a criminal investigation?

476 **SIMPSON:** Broadly speaking, that the Professional Standards Division captain is notified and that in
477 particular with an outside agency involved which is like – I mean, I had to kind of look it up in this field,
478 that the captain is supposed to contact the agency doing the investigation and offer – either become a
479 liaison or offer a liaison and then communicate that back to the chief. This was a case about the chief so I
480 realize that's kind of a unique experience but that that first process is supposed to happen and the assistant
481 chief of investigations would be involved at some point if it's an internal criminal – this is an external
482 criminal so my understanding is it would be different.

483 **BERRY:** Yeah. No quick way to write internal. All right. Do you feel like PPB met that standard in this
484 case?

485 **SIMPSON:** Well, I think that, you know, with the benefit of hindsight and reading the police reports and
486 the articles that have come out, it seems clear that there was no communication to Harney County by the
487 Professional Standards Division captain and like I say, other than – I think my email to Harney County may
488 be the only communication that existed from the Bureau until, you know, CONSTANTIN began the – or
489 IPR began the investigation.

490 **BERRY:** Yeah.

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491 **SIMPSON:** So from that standpoint, I don't think that that was done the way the policy is written but I, at
492 the time, am being told two things are happening which is what should happen and I had no reason to
493 believe they weren't.

494 **BERRY:** And that's the notifying the mayor and notifying the captain in Professional Standards?

495 **SIMPSON:** Yeah. Well, that Harney County was doing the criminal, that Professional Standards Division
496 captain had been notified to do the internal and that the mayor was notified so based on what was told to
497 me I, at the time, believed well, that's what's supposed to happen. It was only later than I learned through,
498 you know, different – you know, whether it's IPR or media reports, that clearly that did not happen the way
499 it's supposed to.

500 **BERRY:** Yeah. And you described earlier having some contact with AC DAY over the weekend.

501 **SIMPSON:** Yeah.

502 **BERRY:** And having some contact with AC and now acting Chief HENDERSON.

503 **SIMPSON:** Mm-hm.

504 **BERRY:** Can you think – have you had contact with any other AC's about this?

505 **SIMPSON:** Well, generally, I mean–

506 **BERRY:** Yeah.

507 **SIMPSON:** –I work down the hall, I mean just–

508 **BERRY:** Yeah.

509 **SIMPSON:** –you know, different conversations about more the – you know, what's going to happen now
510 and, you know – and I, you know, talked to each of them in different, you know, settings but about crisis
511 communication, about, you know, this is why, you know – this is why I do what I do is to manage things
512 like this that, you know, okay it's bad but how do we manage it and that being more transparent and more
513 public, that's what we are as an agency and, you know, we – when an officer gets arrested or under criminal
514 investigation, it's a public matter, it's – we put it out. It's been that way the whole time I've been there and
515 that that's what I'm there for is for them to come to and say here's what's going on, what do you think and at
516 the very least have that conversation. You know, they – each of one of them – you know, I talk with BOB
517 DAY more than any of the others, just – we just have a really good relationship and so we talk more
518 frequently and then DONNA certainly more since she's become the acting.

519 **BERRY:** Yeah. Is there – you talk about crisis communications and you've done that for six years.

520 **SIMPSON:** Yeah.

521 **BERRY:** And there have been no shortage of things to talk about in the six years.

522 **SIMPSON:** No.

523 **BERRY:** Is there a rule of thumb for when an agency has – for lack of a better term, bad information put
524 out, is there a rule of thumb for when it's best to make that information public?

525 **SIMPSON:** Well, as soon as possible is usually the best rule.

526 **BERRY:** Yeah.

527 **SIMPSON:** Get ahead of the story, get ahead of it, provide as much information as you can that is
528 consistent so that it can be shared among all the different, you know, media outlets. You anticipate the
529 questions that might come up and try to answer them proactively. You know, is someone investigating, is
530 the person on paid administrative leave, is – you know, those kinds of things. I mean, having the
531 unfortunate experience of doing a number of them over the years, I've got a boilerplate that's, you know,
532 pretty standard. I mean, this would've not fit any boilerplate that I have but it certainly – we have the
533 framework of it. In the larger news world, I've learned, you know, the Friday afternoon dump is what they
534 call it.

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535 **BERRY:** Right.

536 **SIMPSON:** It's where you dump your bad news on Friday.

537 **BERRY:** Right.

538 **SIMPSON:** This – you know, it seemed it was the other way around this time, that the Friday afternoon
539 dump was the media calling me and asking for info that turned into be – turned out to be very bad info for
540 us or for the chief but –

541 **BERRY:** Well and, you know, do you feel like learning about the incident when you did, did it make it
542 harder or easier to do your job?

543 **SIMPSON:** Oh, much harder. Much harder. You know, I told the chief on a Friday that – the 20th, I said,
544 you know, we'll try to manage this but it's going to hurt, meaning that this is going to be pretty hard for you.
545 I underestimated how much that was going to hurt on Friday. I underestimated trying to manage it because I
546 didn't really know everything at that point. I've come to learn – you know, reading the police reports or
547 scanning them and reading the news articles –

548 **BERRY:** Yeah.

549 **SIMPSON:** – I've come to appreciate the fact that I couldn't have managed without knowing everything
550 upfront and I don't know that anybody knew everything upfront. It's just my impression. And it would've
551 been very difficult to try to turn it into anything other than just a mess but certainly the way it developed is
552 textbook what you do not do in crisis communication.

553 **BERRY:** Yeah.

554 **SIMPSON:** Because it – for all the reasons people are calling it a cover-up and everything, I mean, that's –
555 you know, I pay attention to other businesses and agencies and how they handle things and it absolutely – if
556 they're not getting ahead of it and not putting everything out right away, it looks like they're hiding
557 something and in this case, that's exactly what it looks like.

558 **BERRY:** And you would know better than I would so I'll ask. In the time that you've done your job, can
559 you think of another circumstance where you've been caught as flatfooted as you were here?

560 **SIMPSON:** Certainly nothing to this level at all. There are plenty of times where I am not notified about
561 something or somebody forgets to make a phone call. Nothing typically that huge.

562 **BERRY:** Yeah.

563 **SIMPSON:** But nothing of this magnitude.

564 **BERRY:** And I realized something I forgot to ask you earlier. In your contact with the chief that you had
565 about this incident, can you think of a time ever where he mentioned IPR or Independent Police Review?

566 **SIMPSON:** In this – about this incident?

567 **BERRY:** Yeah.

568 **SIMPSON:** He may have during our initial conversation. I don't remember specifically.

569 **BERRY:** Yeah.

570 **SIMPSON:** It was pretty specific to Professional Standards, the Professional Standards Division captain in
571 the statement he was giving me.

572 **BERRY:** Okay. All right. Well, and you've put up with us asking a bunch of nosey questions about your
573 job and about what happened here. I appreciate it. Is there anything you want to add to our conversation,
574 anything you think we should make note of?

575 **SIMPSON:** Did I cover everything that we talked about? I don't think there's anything missing.

576 **BERRY:** Yeah.

577 **SIMPSON:** I've got – like I say, or I brought with me for timeline purposes is the news release on the
578 homicide which is when the phone call came in, the email – initial email from NIGEL JAQUISS asking me

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579 to call him, the first draft of the statement that went to Willamette Week on Friday with pen corrections
580 and deletions, the email from me to Lieutenant NEEDHAM in Harney County about the statement that was
581 sent out, the email to NIGEL JAQUISS, screenshots of text message exchanges with myself and the chief,
582 and the last couple of text messages were just giving him, you know – he had mentioned he was not
583 reading the news so I'm – you know, I sent him an updated version of the story, I sent him a copy of the
584 Harney County statement that came out on Monday from Sheriff DAVE WARD and then just checked in
585 with him, how you doing, after he was off and then draft copies and then the final copy of the internal
586 statement that was sent out Monday just–

587 **BERRY:** This is perfect.

588 **SIMPSON:** – to kind of outline –

589 **BERRY:** Yeah. If we could have copies of those.

590 **SIMPSON:** Yeah. No. You can have the whole thing.

591 **BERRY:** Thank you very much. Investigator PEREZ, is there anything you want to ask?

592 **PEREZ:** No.

593 **BERRY:** Lieutenant HURLEY, do you have any questions?

594 **TURNER:** I do have one thing.

595 **BERRY:** Yeah, yeah.

596 **TURNER:** [REDACTED]

597 [REDACTED]
598 **SIMPSON:** I do.

599 **TURNER:** Can you kind of articulate those sort of circumstances as they relate to these set of
600 circumstances?

601 **SIMPSON:** [REDACTED],

602 [REDACTED]
603 **BERRY:** Up in [REDACTED] ?

604 **SIMPSON:** Yeah.

605 **BERRY:** Yeah.

606 **SIMPSON:** [REDACTED]

607 [REDACTED]

608 [REDACTED]

609 **TURNER:** [REDACTED] ?

610 **SIMPSON:** Yeah. [REDACTED] and my recollection is we were public
611 about that initially.

612 **TURNER:** Was that at the direction of the chief?

613 **SIMPSON:** Well, it would always be at the direction of the chief. Anything internal. I mean, in fact, on –
614 double-check. I think it was [REDACTED] –

615 **TURNER:** I believe so, yes.

616 **SIMPSON:** I mean, if you can take a moment, I can tell you for sure. I just have to search my volume of
617 press releases.

618 **BERRY:** A bunch of them going out.

619 **SIMPSON:** More than a thousand a year.

620 **BERRY:** No kidding? So that's three or four a day you're doing then.

621 **SIMPSON:** Not all of them are long but–

622 **BERRY:** Yeah. I see a lot of them go out about different big arrests and stuff like that.

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623 **SIMPSON:** Yeah. So April 25th, Monday the 25th, which, you know, as I have since learned is the day that
624 Chief O'DEA allegedly informed the mayor, Professional Standards and the chiefs – assistant chiefs of this
625 incident is the same day that [REDACTED] was involved in an off-duty drunk driving crash.

626 **BERRY:** Yeah.

627 **SIMPSON:** I became aware of that and started making phone calls to [REDACTED] sharing
628 information, talked to their public information officer and asked about a news release, would they send one
629 out. He said, you know, we wouldn't normally on a DUI crash, we just – you know, and my sheriff's not too
630 keen about doing it in this case either. I said okay, well, I may ask you to do that because it's just cleaner if
631 it comes from you because it's your case. But I talked to Chief O'DEA that day and said hey, you know, do
632 you want [REDACTED] to do the release on the criminal side and us to do an internal on the
633 administrative or do you want us to do the whole thing? He said no, I think we should do the whole thing.
634 Shouldn't – you know, don't you think that, you know, we want to be transparent and we'll put it out
635 ourselves and I said yeah, I'm fine with that. I'm just giving you options because we've had other incidents
636 where other agencies have done, you know, the arrest news release, if you will, and we do the internal
637 administrative piece. Either way is fine but he was adamant that we put out the information to be
638 transparent and I – upon learning later that that was the same day that this all was supposedly talked about,
639 I thought that was really hypocritical of him. I mean granted, this is an arrest and that's – his situation was
640 not but I just – frankly it made me very angry that, you know, he didn't think the rules applied to him in that
641 same circumstance.

642 **BERRY:** So the same day that the chief directed you to issue a press release about another agency arresting
643 that officer, you believe that's the same day that he informed the mayor of his own negligent discharge
644 incident?

645 **SIMPSON:** Yeah. And the release went out at 7:00 at night on Monday and it was only because, you
646 know, waiting for information from [REDACTED] They were supposed to get me information to get it
647 out so – but it was earlier that day that that conversation occurred on the phone.

648 **BERRY:** That you all talked about it?

649 **SIMPSON:** That O'DEA and I talked about it, yeah.

650 **BERRY:** Thank you for that.

651 **SIMPSON:** And that's been the policy since I've been the PIO is, you know, we are committed to
652 transparency if an officer does something wrong off duty and especially if they're arrested – or allegedly or
653 even a high-profile internal incident that's not criminal like, you know, social media post going wrong or
654 something like, we've been very transparent about, you know, let's put that information public and I did tell
655 the chief in this Monday conversation when we were talking, I was suggesting maybe he take some time
656 off. In the midst of that conversation, I told him that, you know, I felt that, you know, when he took the job
657 as chief, he was taking it – two of the things he talked a lot about were community – building community
658 trust and transparency and that for a lot of people, this has been handled the complete opposite direction
659 and he didn't respond to that. I mean, he – you know, I was talking in very almost counselor-like tones
660 which unfortunately is part of my job too sometimes but, I mean, that's how I feel about it, is everything
661 that we normally do was not done.

662 **BERRY:** Well, thank you for talking to us today. Thank you for providing that additional information.

663 **SIMPSON:** Yeah.

664 **BERRY:** Yeah. I think we can quit recording.

665 **HURLEY:** It's 3:13. We're off.

666

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668 Transcribed 06/22/2016 @ 2:28 p.m. Michele Pollreisz