

## The Oregonian

### City financial controller wanted \$450,000 to resign; settled for \$45,000: Portland City Hall Roundup

*By Brad Schmidt  
September 18, 2014*

Attorneys for Portland's financial controller told the city she would resign last month in exchange for more than \$450,000, according to documents obtained through the state's public records law.

Under a severance agreement effective Sept. 12, the city agreed to pay Jane Kingston one-tenth of that amount: \$45,000.

Kingston, who was an at-will employee, served as the city's top accountant for four years until being pushed out by her boss. Kingston's attorneys say the city retaliated against her but Fred Miller, Portland's chief administrative officer, has denied any retaliatory motives.

Miller, however, has declined to say why he wanted to replace Kingston.

Kingston in 2013 clashed with Miller's predecessor, Jack D. Graham, over a highly technical accounting issue that she believed violated accounting and city rules.

She reported the issue to the city attorney and the auditor's office in May 2013, receiving assurances of protection from retaliation as a whistle-blower, according to an Aug. 11 letter sent to the city by her attorneys.

Kingston exchanged explosive emails with Graham about the accounting problem in October 2013. After The Oregonian reported the email exchange, Portland Mayor Charlie Hales fired Graham.

For Graham, it was the latest in a line of controversies involving his office, including a financial management scandal over the attempted use of water and sewer funds held in a reserve account. But the exchange marked the first time that Kingston entered the public spotlight.

In the months since, an outside consult found tension between Kingston's accounting division and Miller's Business Operation group. The consultant also noted in a report that other city agencies were allowed to "work around policies" and there wasn't enough clarity about Kingston's authority citywide.

In July, an unsigned memo from Kingston's division to Miller complained that her overtime budget had been cut from \$96,000 to \$16,000. As a result, accountants were concerned about finishing an annual report on time and suggested that deadlines might go unmet.

Miller placed Kingston on paid administrative leave in early August, a move that "effectively terminated her employment," according to the letter that Kingston's attorneys sent Portland on Aug. 11.

"Based on Mr. Miller's interactions with Ms. Kingston since August 1, 2014, Mr. Miller clearly hoped to force Ms. Kingston to resign from her position," the letter reads. "Ms. Kingston refused to resign from her position last week and is refusing to resign now."

Kingston, through her attorneys, offered to accept a demotion to keep her job.

In the alternative, Kingston's attorneys said she would be willing to resign in exchange for more than \$450,000, a sum apparently meant to begin negotiations.

Kingston's attorneys demanded 18 months salary, the equivalent of more than \$200,000. The attorneys also sought \$250,000 in non-economic damages for "the emotional distress from the harassment and ongoing humiliation of this forced termination in retaliation for simply satisfying the obligations of her job."

Three days after the letter, Portland officials authorized making a severance offer to Kingston. She received nearly \$45,000, the equivalent of four months' salary.

# **New Portland police training center will be an asset for entire region, Chief Mike Reese says**

*By Maxine Bernstein  
September 18, 2014*

Eighteen Portland police recruits, set to start a 12-week advanced academy next month, will be the first class of officers to break in the Police Bureau's new training center.

The complex in Northeast Portland -- with two 12-lane indoor firing ranges, a mock village for scenario-based training and two mat rooms for defensive tactics exercises -- provides a stark contrast to the hodgepodge of sites around the region where most Portland police have trained for years.

Training Capt. Bryan Parman said in his 20 years on the job, the bureau hasn't had consistent access to one training location. Firearms, driving and defensive tactics courses were scattered across the metro area and as far as the Oregon coast and Washington state.

Having all the training disciplines at one site will cut down on unnecessary travel time that used to cut into hours of lesson time, Parman said. Portland police also expect outside law enforcement agencies to rent out parts of the complex for their own training.

Portland Police Chief Mike Reese, standing outside the building Thursday afternoon for an official ribbon-cutting ceremony, called the opening a "defining moment for the Police Bureau and the city of Portland."

"For the first time in the history of the Police Bureau, we have a top-notch training facility. ... To have all our training opportunities in one location is surreal," Reese said. "This is an asset to the entire region."

The city bought the 9.6-acre property at 14912 N.E. Airport Way, formerly home to a trucking company, in April 2012 for \$6.5 million. Remodeling began in December and is almost complete. The total cost of buying and renovating the site came to \$15 million and is being financed through bonds over 10 years. The center is estimated to cost about \$395,000 annually to operate and maintain.

"We want police officers who are smart and strong and humane, and that's what this facility will ensure," said Mayor Charlie Hales, who serves as police commissioner.

An open house is planned for the public from 11 am. to 3 p.m. Saturday.

The entrance is decorated with two art projects -- one depicts the connection between police and the community they serve, and the other shows resting-to- elevated heart rates reflecting the everyday rhythms officers experience on the job.

Two large classrooms that can hold at least 70 people, each with large video screens available for presentations, are just beyond the front doors and will be available for community meetings.

As visitors move further into the building, the two 50-yard firearms ranges are on the left, with a room set aside for gun cleaning. Police can drive a car onto one of the firearms ranges to mimic potential scenarios they may face on the street.

The targets move forward and back, rotate and move laterally at different settings: a walk, a jog or a run. The lights can be dimmed on each range to mimic different conditions officers may face. Bullet traps at the far end of each range will help collect the fired lead, which will be funneled to an automated collection container outside for recycling.

"It's going to basically clean itself," said training instructor William Goff.

On the right side of the building are two mat rooms for defensive tactics exercises and a mock village of six structures -- three houses, a two-story apartment building and two commercial structures. Police can drive into the mock village from two garage-door entrances. The buildings are still being completed. One space is expected to be turned into a mock bank and the other a convenience store.

"Looks like Hollywood," said Pastor Matt Hennessee of the Vancouver Avenue First Baptist Church in North Portland, among police, city officials and community leaders who toured the center.

"In the end, what we're trying to do is build better decision-makers," said Assistant Chief Larry O'Dea, who oversees patrol operations.

The paved area behind the building will be used for low-speed patrol vehicle training. Officers will be able to practice what's called PIT maneuvers, or patrol intervention techniques, to stop a fleeing car, and skid

maneuvers. The bureau will still have to rent out other locations, such as the Portland International Raceway to do high-speed patrol training.

Three days before Thursday's official opening, a man swiped several thousands of dollars worth of metal facade panels that were to be used on the front entry to the building. The metal was recovered but damaged. Money also has run out for some of the finishing work, such as painting and furnishing of the buildings in the mock village, but police expect to do additional fundraising.

Ann Krohn, the Police Bureau's facilities coordinator, said officers repeatedly asked for a place to train that provided "a roof over their head and running water," as many of the sites they rented in the past had neither.

"This is a huge answer to everybody's prayer," she said.

## The Mercury

### Police Union Has "Many Concerns" About Talk of Outfitting Cops with Body Cameras

*By Denis C. Theriault  
September 18, 2014*

The leader of the city's rank-and-file police union has taken issue with Mayor Charlie Hales' recently declared interest in outfitting patrol cops with body-mounted cameras—raising concerns about the overall usefulness of the cameras, questioning the police bureau's diligence, and telling officers that any such program would first need to be hashed out with union brass.

In a letter to his members, obtained by the Mercury, Portland Police Association President Daryl Turner enumerated 11 specific concerns/points, ranging from the cost of purchasing and maintaining the cameras to worries that officers will need to divert more time from patrolling their beats to worry about uploading and reviewing video.

Turner says he heard about the program only through media reports (the Oregonian first reported Hales' interest in shifting unspent money initially earmarked for dashboard cameras), and that the PPA has yet to officially oppose or support body cameras.

"The PPB's desired implementation of body cams immediately triggers several subjects of mandatory bargaining, including officer safety, discipline, job security, minimum fairness, and workload concerns," Turner writes. "Before body cams are implemented, the PPB needs to carefully develop the body cam program and associated policies with the PPA to account for operational realities and collective bargaining issues. The PPA has many concerns that need to be addressed and resolved."

Body cameras were called out by the federal judge who signed off, last month, on a package of police reforms negotiated between the city, the federal Department of Justice, the PPA, and the Albina Ministerial Alliance Coalition for Justice and Police Reform. The cameras have become increasingly popular nationally as a means of reducing use of force—but also in reducing potentially frivolous misconduct complaints.

The reforms are meant to answer accusations that Portland police officers engaged in a pattern or practice of using excessive force against people with, or perceived to have, mental illness. US District Court Judge Michael Simon asked about cameras while evaluating the reforms. He noted that the cameras weren't included when he signed off on the agreement August 29, but said it wasn't enough of a reason to reject it.

Turner, later in his letter, took the judge, the fed, and the mayor to task for, as he put it, failing to abide by "the most important component to the success" of the federal deal: Increasing "the authorized staffing level of PPB by 20 percent." In the fall of 2012, the city approved new expenditures and positions for the bureau in light of the expected reforms. But in 2013, the city council also cut the overall number of authorized officers, avoiding layoffs by allowing the bureau to gradually ease the number down through retirements and departures. This year, the council held the line.

Read Turner's full statement after the cut.

*Although rumors of body cams have been swirling around for a few weeks, the Portland Police Association (PPA) learned of the PPB's intent to implement body cams only through Mayor Hales' statement to the press. The PPA has not taken an official stance regarding the implementation of body cams as we continue to research the issue and discuss the feasibility of body cams with our members and the Portland Police Bureau (PPB). The PPB's desired implementation of body cams immediately triggers several subjects of mandatory bargaining, including officer safety, discipline, job security, minimum fairness, and workload concerns.*

*Before body cams are implemented, the PPB needs to carefully develop the body cam program and associated policies with the PPA to account for operational realities and collective bargaining issues. The PPA has many concerns that need to be addressed and resolved.. Below are just a few of our concerns.*

- 1. Body cams don't substitute for officer's reasonable beliefs and perceptions, which are constitutional and PPB policy standards.*
- 2. Body cams may show less than what officers see/heard/observed.*
- 3. Body cams may show more than what officers see/heard/observed.*
- 4. Body cams cannot account for an officer's physiological responses during critical incidents, such as visual tunneling and auditory exclusion.*
- 5. Body cams shouldn't be viewed as a measure of truth. They have an important but limited use.*
- 6. Body cams are a policing tool. No more, no less.*
- 7. Oregon law will need to be changed. Current Oregon eavesdropping law provides an exception for intercepting communications on dash cams but not body cams.*
- 8. Increased work load issues with officers downloading content from body cams during or after shift creates new staffing issues. This equates to fewer officers patrolling, putting the PPB below minimum staffing levels. Also, increased workload to patrol sergeants who must review all body cam footage for after action reports.*
- 9. PPB has not done enough practical research on different types of body cams in regard to the quality, cost, applicability, and sustainability of the system.*
- 10. PPB spent hundreds of thousands of dollars of taxpayer money on a dash cam project just to abandon it for body cams. What assurance do taxpayers have that the body cams won't follow the same fate?*
- 11. The PPB needs to consider the costs beyond purchasing the cams themselves, including the retention of camera footage and the costs associated with public records requests for body cam footage.*

*The USDOJ, Judge Simon, and Mayor Hales have all ignored the most important component to the success of the USDOJ / City of Portland Agreement. The Portland City Council needs to increase the authorized staffing level of PPB by 20%. Resources for the mentally ill and those in mental health crisis, community policing, diversity in the bureau, and the ability to continue to meet the evolving needs of all the communities of Portland depend on having enough officers on the ground. We simply don't have enough bodies.*

*As the organization that represents almost 900, officers, sergeants, detectives, and criminalist, the PPA has a responsibility to its members and the community that it serves. That responsibility includes making sure that the PPB provides its sworn employees with the best, safest, most effective tools possible to enhance service to the community. That responsibility also includes making sure that the taxpayers' hard earned dollars are not wasted on failed projects and faulty equipment that cost millions of dollars.*

*Although body cams are becoming more popular in police agencies across the country, the PPB needs to take a thoughtful approach to any new policing tool. There are many issues to consider and address. If body cams are to be a useful policing tool, the PPB must work with the PPA to develop a policy that's applicable for use by officers and sergeants on the street.*