



LISTENING

SESSIONS REPORT

*A Community and Police Partnership
to Eliminate Racial Profiling*

A Partnership of:

Oregon Action

Center for Intercultural Organizing

Northwest Constitutional Rights Center

Portland Police Bureau

Northwest Federation of Community Organizations

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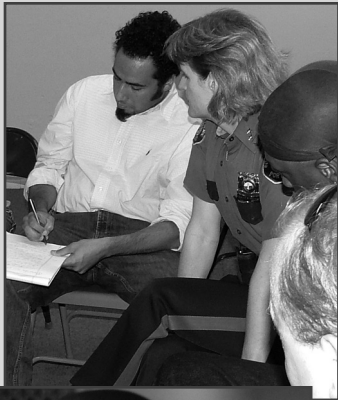
Clayborn Collins, *Chair*, Listening Sessions Planning Committee
Billy Robinson, *Member*, Oregon Action
Jamie Partridge, *Community Activist*
Roscoe Shepard, *Member*, Oregon Action
Ruth Alice Anderson, *President*, Oregon Action
Jo Ann Bowman, *Associate Director*, Oregon Action
Alejandro Queral, *Executive Director*, Northwest Constitutional Rights Center
Jason Dahl, *Associate Director*, Northwest Constitutional Rights Center
Andrea Gough, *PSU Intern*
Doo Jay Chung, *PSU Intern*
Sean Kolmer, *PSU Intern*
Shirley Minor, *Community Activist*
Kayse Jama, *Founder*, Center for Intercultural Organizing
Stephanie D. Stephens, *Board Member*, Center for Intercultural Organizing
Yong Gun Lee, *Intern*, Center for Intercultural Organizing
Claudia Paz, *Intern*, Center for Intercultural Organizing
Dan Handelman, *Director*, Portland Cop Watch
David Rogers, *Associate Director*, Western Prison Project
Erin Fair, *UO Intern*, Northwest Federation of Community Organizations (NWFCO)
Ari Albergh, *City Corps Project Crew Leader*, Open Meadow Alternative Schools
Shalini Dass, *Student*, Open Meadow
Brooke Alban, *Student*, Open Meadow
Jameka Lathan, *Student*, Open Meadow
Khino Brackeen, *Student*, Open Meadow
Lynnae Berg, *Assistant Chief*, Portland Police Bureau
Lt. Dana Lewis, *Training Officer*, Portland Police Bureau



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EXECUTIVE SUMMARY

This report reflects a unique collaboration between the Portland Police Bureau, Oregon Action, the Center for Intercultural Organizing and the Northwest Constitutional Rights Center, who came together to create an opportunity for real dialogue between community members and Portland police on the issue of racial profiling. During the months of May and June, 2006 these partners hosted a series of five **Community Listening Sessions** designed to allow community members to share, first-hand, their experiences of police interaction and to engage in deep dialogue with police.

Rather than being driven by community outrage over police-involved shootings or community crisis, the listening sessions were born of a sincere desire to create better communication and understanding between Portland police and community members, particularly community members of color. This allowed listening session organizers to establish a constructive, collaborative environment in which both community members and police were actively engaged in dialogue with one another and in finding solutions to racial profiling together.

A Time for Dialogue

A newspaper article in March 2006 prompted Oregon Action to meet with Mayor Tom Potter and seek his support to develop a series of five Community Listening Sessions to address the issue of racial profiling in the Portland Police Bureau. The article was sparked by a statement at a community budget forum where a recent African immigrant shared his experience of being stopped by Portland police officers four times in an 18-month period. Mayor Tom Potter agreed that this dialogue was long overdue and suggested Oregon Action contact the Police Chief and the Portland Police Association to partner in this effort.

Then Police Chief Derrick Foxworth and later Chief Rosie Sizer promptly agreed to partner on the listening sessions project. The Portland Police Association was also invited, but unfortunately did not participate. Chief Sizer was asked to bring command and street officers to each listening session so they could hear community members' experiences. She was also asked to have street officers come in civilian clothing to create a less intimidating experience for community members.

The Community Listening Sessions planning group determined they would hold five sessions, one in each of the Portland Police Bureau's precincts. Each session was structured in a manner that allowed community members to share their personal stories; for the police to share with the community their training, policy, and thought process as they prepare to conduct a traffic stop; and—most importantly—small group dialogue between officers and community members to come up with solutions to eliminate racial profiling from the Portland Police Bureau.

One listening session was focused specifically on youth, organized and facilitated by students at Open Meadow, an alternative school in North Portland. The listening sessions planning committee wanted to ensure that youth had an opportunity to have a session of their own, one that was focused on their unique experiences with Portland police.

No Perception—Just Reality

Coincidentally, after several months of planning the Community Listening Sessions, the Portland Police Bureau released traffic stops data for 2004 and 2005 that clearly supported community assertions that African Americans and Latinos are stopped and searched at significantly higher rates than census data would suggest is appropriate. This data was released two days prior to the first listening session on May 18, 2006. The stops data release created the framework necessary to move the sessions away from earlier community dialogues that were obstructed by debate over whether racial profiling actually exists or whether the community only perceives it exists. Each listening session began with the statement that, "We know that racial profiling occurs and we are not here to debate it." The major focus and articulated goal of the listening sessions was determining how the police and community might work together to eliminate racial profiling from the Portland Police Bureau.

About 45 Portland police officers and over 267 community members participated in the series of listening sessions. Dozens of recommendations from both police and community members were gathered throughout the five listening sessions. After review by the planning committee it was determined that we would move forward six recommendations that we believe can be accomplished through this partnership (see pages 14-16 for fully developed recommendations).

Our recommendations are:

- ♦ No later than January 2007, the Portland Police Bureau should develop a written plan, with community stakeholder input, to eliminate racial profiling.
- ♦ Community organizations should create and implement public education programs on the attitudes and behaviors that are appropriate during traffic and pedestrian stops, as well as on the legal rights of individuals, so as to minimize conflict or escalation at the scene.
- ♦ No later than December 2006, the Portland City Council should convene a commission whose role is to monitor data collection, review internal policies and take community input to eliminate racial profiling.
- ♦ Community organizations should develop additional community listening sessions, or other activities and events, that create a safe environment for police and community members to participate in structured dialogue.
- ♦ Starting immediately, the Portland Police Bureau should collect and analyze data on individual officers' traffic and pedestrian stops to determine the extent to which racial profiling occurs institutionally.
- ♦ Community organizations should assist community members with filing complaints against officers who they believe have treated them inappropriately, so that a written record is developed and incidents are investigated.

Rosie Sizer, Chief of Police,
Portland Police Bureau



LISTENING SESSIONS REPORT

A Community and Police Partnership to Eliminate Racial Profiling

Listening Session,
NE Portland Precinct



Defining the Issue

From the first meeting, it was clear that community members and police were talking about completely different concepts when they used the words “racial profiling.” Portland Police Bureau policy directive (344.05) states that members are “prohibited from taking any police-initiated action that relies on the race, ethnicity, or national origin rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity.” During the community listening sessions however, Portland police officers defined racial profiling in technical terms—a working definition that every officer recited verbatim: *racial profiling is when race is used as the **sole factor** in making a decision to stop, question and/or search an individual.* Clearly, the definition in the policy directive is more restrictive than the working definition officers cited during the listening sessions.

Community members defined racial profiling in terms of experience, in damage to sense of self and place, in feelings of humiliation and alienation from their own community. As one community member said, “Racial profiling is having to justify to police why I am walking, standing or talking in my own community.” Youth talked about experiencing racial profiling in terms of appearance and fashion (baseball caps and baggy pants) as well as skin color.

Under the police’s working definition, racial profiling is illegal—a fact that obligates officers to deny that profiling exists or that they have seen it happen. Moreover, this narrow definition does not account for the ways in which racial bias influences judgment, even when race is not the “sole” factor in making a decision. Such a narrow, technical definition is counter-productive for the purposes of fully understanding and overcoming racial profiling. Officers must be able to see and acknowledge the broader picture of racial profiling, beyond a strict technical definition that ties it to intentional prejudice and illegal behavior. We cannot eliminate racial profiling while we deny its existence, nor can we discount the historic relationship between police and communities of color.

For the purpose of this report, we are defining racial profiling as *the **inappropriate reliance on race** as a factor in deciding to stop and/or search an individual.*

Pretext Stops

Portland police employ and adamantly defend the practice of **pretext stops**, a questionable tactic that has been prohibited in several municipalities. The Supreme Court has ruled pretext stops are permitted under the Fourth Amendment so long as the officer has probable cause to stop the person. However, such stops remain subject to constitutional challenge under the Equal Protection clause whenever the stop is racially motivated. In practice, most pretext stops are triggered by a police officer’s judgment that someone looks suspicious, which then leads the officer to find a “pretext” for the stop. However, what is and is not suspicious is subject to what many people call **cultural racism**, which defines middle-class white behavior and appearance as normative and everything else as

institutional racism: the systematic and historic oppression of people of color and the power to uphold it through institutions.

suspicious. The result is an over-policing of communities of color, the marginalization and alienation of those communities and the creation of the mistrust described so vividly in the listening sessions.

Looking at the issue of pretext stops allows us to glimpse the complexity of this issue. Even while it is legally prohibited for police to use race as the sole factor in making a decision, there is plenty of room for conscious and unconscious racial bias to influence who is “suspicious”.

“Let's get the people safe who are disproportionate targets for violence...then let's talk about racial profiling,” stated a Portland police officer in a June 20th article in the *Portland Tribune*. “Because blacks are disproportionately victims of violent crime, and because police believe that most of that crime is committed by blacks against other blacks, blacks as a group warrant more attention than their population size would suggest,” the *Tribune* went on to paraphrase. The danger of this conclusion—that blacks need more policing because they commit more crime within their own community—is that it is used to justify racial discrimination because policing decisions are based on perceived crime patterns. The culturally acquired belief in black criminality, held not only by many police officers but also by much of the community at large, makes it difficult to combat racial profiling. Year after year, studies demonstrate that white and black drug use is almost identical. Yet, year after year, blacks are arrested, convicted and incarcerated for drug-related crimes at 5 to 6 times the rate of whites. The higher incarceration rate of blacks then becomes a false rationalization to argue they are more likely to commit crime. We persist in mistaking the effect of discrimination for its cause and using that error to justify continued discrimination.

Why Is This So Hard?

Racist—the word makes us recoil with instant denial and defensiveness. When we think of racists, we think of the Klan, lynching and the horrific murder of James Byrd in Texas. We don't think of reaching over to push down the door lock when a car with several young black men pulls up in the next lane. We certainly don't think the rational and polite application of white standards and expectations that define people of color as out of the mainstream. Nor do we consider the institutionalized nature of racism and the systematic and historical oppression and exploitation of people of color, which is manifest within the institutions of the criminal justice system.

When police hear the words “racist” and “racial profiling” they may assume they are being compared to Bull Connor rather than that they are applying learned assumptions about race as they assess people. And this increases reluctance to own responsibility. “It's not that racial profiling isn't an issue worth talking about, it's a question of perspective,” said Portland Police Association President, Robert King, in a June 28 *Portland Mercury* article. “Officers believe they are out working hard to keep people safe and they don't like being called racist.” So long as we associate racism solely with its most egregious manifestation, we will have trouble finding the common ground necessary to eliminate it.

Community members were careful not to assert that **overt** racism is rampant in the Portland Police Bureau. However, we live in a racist society and not one of us can remain untouched by the cultural and institutional biases that construct our society's values and mores. We each have a responsibility to challenge our own assumptions and biases and do our best to combat discriminatory institutional systems. This self-analysis is a critical requisite for a culturally-competent community policing work force. And the Portland Police Bureau as an institution has a responsibility to hold its employees accountable and provide the resources necessary to ensure its employees implement this responsibility on the job.

The Portland Police Bureau and the City Council want to embrace community policing. If community policing is to work, communities of color must be equal partners in identifying systemic problems in the administration of justice and in promoting solutions to those problems—and in planning the proper role of community policing in their neighborhoods.

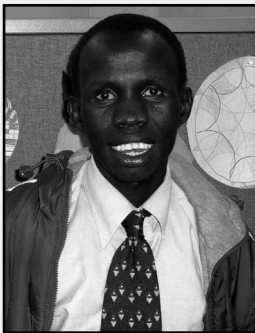
Creating an Inclusive Space

Although the Community Listening Sessions brought together a broad section of communities of color, the larger community and the police bureau, we were not able to bring all community voices to the listening sessions. Fourteen community-based organizations were invited to participate in the planning of the community listening sessions. Most organizations were able to contribute to this effort in some way and we are grateful and appreciative of all their help. The Portland Police Association, though invited, declined to participate. Their participation would ensure a greater likelihood of a mutually acceptable solution that would work for the Portland Police Association, the Portland Police Bureau and the community.

Due to the unique challenges of recent immigrant communities, including post-9/11 backlash, increased scrutiny by the FBI and experiences with police abuse and corruption in their home countries, recent immigrant and refugee communities were largely not present at the listening sessions. Many recent immigrants expressed anxiety that making contact with the police would put their families at risk of being split due to their immigration status. However, the Center for Intercultural Organizing provided racial profiling video testimony and surveys documented through the City of Portland's Visioning Project (visionPDX), bringing in more immigrant community members' voices and experiences into this report.

Over the course of several months as part of visionPDX, the Center for Intercultural Organizing surveyed hundreds of immigrant and refugee community members from the African, Asian/Pacific Islander, Latino and Arab communities on their thoughts about Portland and dreams for their city's future. Outreach was conducted in culturally appropriate ways, from small group conversations in people's homes to one-on-one interviews at community cultural celebrations. Arab community members provided over 150 written surveys, but would not meet in groups for fear of being targeted by the police and FBI. In the Latino community, racism was raised in the majority of the nearly 100 surveys collected, and racism within the police force in one-third of the surveys. Asian/Pacific Islander community members were concerned about their youth, who they felt were often unfairly profiled as potential gang members. In dialogues with African youth—and particularly among young men—racial profiling by the police force emerged as the top issue.

Ali Hajji, a Somali refugee, expressed that he and his friends feel constantly under surveillance by the police. As Ali said through video testimony, *"One day, I was sitting with some of my other Somali friends. This one cop, he comes up to us and he says, 'Everybody here, your date of birth is 01-01 and your last name or first name is Mohamed.' It was uncalled for. Then he says, 'You guys, don't get in any trouble now,' even though we were not doing anything. Why did he just come up to us and say that to us? I don't know what he was trying to do, or what he was trying to prove, but I just think that was wrong."*



MICHAEL CHUOI

"I am an immigrant from Sudan and I now live in Portland. Since moving to Portland, I have been stopped by the police six times. I believe that police target newcomers to this city because of our different cultures or different appearances. One day, I was walking down the street with a co-worker, and after he left the police approached me. They asked me why I was talking with him because he was a drug dealer. I told them that I was walking with him because he was a coworker, and that if he was a drug dealer they should arrest him. Then they asked me if they could search my bag. I agreed and they checked my bag (finding nothing). While I don't know if I was stopped because

of my race or immigration status, I can't think of any reason other than that I am a newcomer and look and act different than people in this country. Newcomers and people of different cultures are targeted by the police in Portland."

In addition to immigrants, other community members expressed anxiety about facing police in a meeting to discuss their experiences, concerned about retaliation by police and local media. This is not a baseless fear. Many community members can cite several examples of people who have been publicly critical of the police and were subsequently profiled in the media as criminals, adulterers or serial traffic offenders. In the eyes of many community members, local media collude with the police to limit police accountability.

One person who had planned to attend but didn't explained it this way: *"I'm sorry that I didn't show-up and provide testimony. I lost my nerve. I was worried about police targeting me and my family for retaliation if I publicly shared my experiences, but based on the work that you are continuing to do with the police I promise to participate in other activities that Oregon Action leads."*

Been There, Done That

Several of the listening sessions planning committee members have participated in community meetings with the Portland Police Bureau over the last 10 years. In their experience, most of these forums ended with people more angry and frustrated when the meeting was over than when it began. Past public meetings have either been town hall gatherings where the community vented at police officers who sat in stony-faced silence—or public sessions where the police delivered a technical exculpatory presentation when an encounter with an individual ended in tragedy while the public sat in stony-faced silence.

Clearly, an effective public meeting could not be dominated by one point of view. The goal of the listening sessions project was to create a space where the community and police officers felt safe to share their experiences and to hear the effect of those experiences on people's daily lives. This meant that both the Portland Police Bureau and community organizations had to commit to trust each other.

There are several reasons these listening sessions were successful when past efforts have failed.

First, and possibly most critically, the Community Listening Sessions were not held in response to a crisis sparked by a police shooting. This meant that the sessions were about the entire Portland Police Bureau in relation to communities of color, not the actions of a few individual officers in relation to one individual. We believe these recommendations are more likely to result in long-term solutions to this vital community issue because they are not mired in the emotions and details of an individual incident.

Secondly, there was widespread support for the listening sessions at many levels. The sessions were led and facilitated by organizations with a history of working on racial, social and economic justice issues in the community. Several community organizations collaborated to bring in a broader point of view. Mayor Tom Potter's unequivocal support of this community-led effort gave it the impetus and credibility to bring the Portland Police Bureau on board. The support of Chiefs Foxworth and Sizer sent a clear message to the community and the Portland Police Bureau that these sessions were a priority. Local media also publicized the sessions and praised the process. Everyone entered the listening sessions wanting them to work and recognizing that both the community and the Portland Police Bureau win if the process is successful.

Finally, the goals of the Community Listening Sessions were clearly stated at the beginning of each session. Participants were asked to develop the ground rules on how they would treat each other during the meeting and were promised that if the rules were broken there would be immediate intervention. This activity created shared expectations by all of the participants. The first listening session revealed that, while hopes were high, memories of past meetings lingered. Both the community and police officers were distrustful, particularly at the outset of the meeting. Portland police and community members' body language radiated distrust and fear. It was more than a half-hour into the meeting before people began to relax and listen to each other. There was

Listening Session,
Open Meadow School



*"We are talking
about racial
profiling and
that's what it is,
being black in
the wrong area."*

—participant

a stark change in body language as people who had been leaning back with their arms folded tilted forward, hands on their knees, canting their ears toward speakers to hear better. Then the small group discussions began and communication blossomed. In the end, it was hard to get people to stop talking once the time was up for small group discussions and report backs. "It was heartwarming to see police and community members sharing contact information and promising to follow up with each other at the conclusion of the sessions," said Jo Ann Bowman, Associate Director of Oregon Action.

It was clear that face-to-face dialogue between Portland police and community members of color, uncontaminated by a high profile crisis or tragedy, was long overdue. These sessions worked because they were focused on problem-solving. Deeper levels of trust between Portland Police Bureau, listening session organizers and the community had been established. The police no longer feared that the sessions would become a "gotcha" attack on them, and community members and organizations came to trust the sincerity of Chief Sizer and the Portland police officers who participated in the sessions.

The Community Listening Sessions Process

THE AGENDA

1. Setting Ground Rules
2. Public Testimony
3. Police Training, Policy and Procedures
4. Small Group Discussion
5. Report Back

Setting the Tone

Setting the tone at the outset of the sessions was critical. Right off, it was stated clearly that we were not here to debate whether racial profiling exists, but to discuss how to eliminate it. Rather than explaining the ground rules at the outset of the meeting, it was critical to have meeting participants set the rules themselves. This built their sense of control and safety and promised strong facilitation to enforce it.

Testimonials

One by one community members spoke about their personal experiences interacting with Portland police officers in their community. Each story was uniquely personal but all shared common themes. People reported feeling helpless, that officers projected an attitude of disrespect and that a continuing sense of hopelessness persisted because they felt there was no way to hold the police accountable for the treatment they received.

"I have lived in Northeast Portland for 43 years," was how Ms. Paula West, started her statement. "In June my 19 year old nephew Alonzo, who is my adopted son, was chased to my house by the police. I was in the basement doing laundry and I heard him calling

my name. I ran up the stairs and when I got there he was already in the control position, on his knees with a taser pointed at him. The officer who held Alonzo said he thought he had drugs. They searched him but he didn't have any drugs. My boy has no record, he does nothing but work."

"Hearing good people tell these stories over and over has had an impact on me," said Chief Sizer, after hearing testimony at the Northeast Portland listening session.

A young man named Jake Moss, who asked us not to use his real name or picture due to his fear of retaliation, shared this story. *"My friends and I were over at Grant Park shooting hoops. Somebody reported that someone was selling drugs there. The police came and checked all of us. He told us to put our hands up and lie on the ground and shut up, which was humiliating. The part that got us all mad was this one white boy about our age was up there shooting hoops who was up there longer that we were and he never got searched. So, we asked them, 'Why are you checking us and not the white boy?' The police told us to be quiet about it and kept searching us."*

The North Portland Precinct session was hosted and facilitated by students from Open Meadow, an alternative high school in North Portland. Students came to several earlier listening sessions so they could observe the format and process that adults were using to conduct meetings. The students were excited to be given the opportunity to lead a dialogue with their peers regarding their experiences with the Portland police officers.

The student facilitators were part of an earlier program at Open Meadow called the City Corps Project, which emerged from a request by Portland police that students help them identify young people interested in becoming police officers. Students surveyed many of their peers and discovered that most youth did not want to consider careers with the Portland Police Bureau. They reported back to the bureau that this was largely due to their own personal experiences and the high level of mistrust students have of police in general and of Portland police officers in particular.

At the Open Meadow listening session, a young woman shared her experience with Portland police. *"I was on lunch from Jefferson and my friends and I went to a neighborhood store close by. Suddenly, I was approached and pulled out of my crowd of friends by a Portland police officer. He said, 'Come with me, you are under arrest.' I said, 'for what,' but he didn't answer me, just led me to the back of his police car. I was there for about an hour then I started getting hysterical. I begged the officer to call my mother. He did, and after a while he let me go. I asked again,*



PAULA WEST

"I have lived in Northeast Portland for 43 years. In June my 19 year old nephew Alonzo, who is my adopted son, was chased to my house by the police. I was in the basement doing laundry and I heard him calling my name. I ran up the stairs and when I got there he was already in the control position, on his knees with a taser pointed at him. The officer who held Alonzo said he thought he had drugs. They searched him but he didn't have any drugs. My boy has no record, he does nothing but work. I lost my temper—I admit I was not nice. An officer grabbed me and threatened to arrest me. I said that he couldn't because I do 24 hour home care, and he cited me for interfering with the police instead. The arresting officer said my son ran three stop signs but they didn't put on their lights until they got to my house. They took Alonzo downtown and then released him because he had done nothing wrong. Then they called my work and told them I had been arrested when I hadn't. Now I am in trouble at work. Why would they do that?"



JAKE MOSS *

"My friends and I were over at Grant Park shooting hoops. Somebody reported that someone was selling drugs there. The police came and checked all of us. He told us to put our hands up and lie on the ground and shut up, which was humiliating. The part that got us all mad was this one white boy about our age was up there shooting hoops who was up there longer that we were and he never got searched. So, we asked them, 'Why are you checking us and not the white boy?' The police told us to be quiet about it and kept searching us. They kept asking us questions like, 'Do you have any weapons on you? Do you have any felonies?' One of my friends ended up going to jail because he had a police contact. He was on parole and was not supposed to have police contact and he ended up going to jail for about a month. We thought that was unfair for him, going to jail over that. They ended up searching us and then telling the rest of us to go home."

*Not his real name



JANET HALBROOK

"I believe in community policing, which is a huge difference from what is going on now. What we do here in NE precinct,

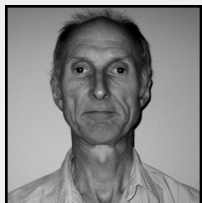
and in most areas, is drive-by policing. They only stop when something's bad. They don't get out and walk. But community policing is where the cops get out and know you and talk to you, even when you do good. Harry [a police officer] hasn't arrested me in 17 years. I haven't been arrested at all in 17 years and I have been totally drug and alcohol free for 15 years. Every time Harry sees me, he always takes the time to say 'hi' and tell me how proud he is of me. That's important because you don't know who I was back then, but he does and he remembers."



JEROME AKLES

"The whole area in Old Town is pretty much a drug area. I live in the Estates downtown, so I've got to be down there.

Last night I'm walking to the Estates. All of a sudden, the police pull over real fast and jump out the car and they get to questioning me. They're like, 'What are you doing here?' 'I live down here,' I say. They want to know if I have drugs. But they're not pulling everybody over. I don't have any convictions for selling drugs or anything like that. I was telling them such, but they refused to understand or accept that. 'Who are you?' they asked. So I gave them my ID and everything. After we got done, they let me go and they said, 'Well, we just wanted to figure out who you were.'



JAMIE PARTRIDGE

"I drive an old beater car that often has broken tail or headlights. I never get stopped when I am driving alone. But, I have

been stopped five times in the past ten years when I have had African American friends in the car with me. Late one night, I was driving with an African American woman friend of mine in the car with me. We got pulled over. When the cop came to the car he said, 'Okay buddy, what's it for: sex or drugs?'"

'Why am I under arrest' and he said, 'We are investigating an armed robbery.' I asked the description of the suspect, and his response; an African American female 5'4" tall. I am 5'8" tall, so why did he pull me out of the crowd of my friends. It took me a while to get over that."

"We were particularly impressed with the session led by the young people at Open Meadow School, said Irwin Mandel. It is better to jaw-jaw than to war-war, as Winston Churchill once said. Real change will occur with our young people as long as we keep talking with and not at them." Irwin Mandel and his wife, Lili, participated in two of the five listening sessions and are residents of downtown Portland. Irwin Mandel serves as co-chair of the Chief's Forum.

Community members who are not people of color also shared stories of how racial profiling had an impact on them. Jamie Partridge, a longtime community activist shared the following story: *"I drive an old beater car that often has broken tail or headlights. I never get stopped when I am driving alone. But, I have been stopped five times in the past ten years when I have had African American friends in the car with me."*

When several people tell similar stories of harassment and disrespect, there is a cumulative effect that breaks down the reflexive instinct to dismiss this as isolated and individual incidents. It allows listeners to realize this is a community problem—not an individual problem. This realization is critical to moving from defending the status quo to focusing on solutions.

Chief Sizer's Role: Police Training, Policies and Procedures

Before recommending solutions, it's important to know what the Portland Police Bureau is already doing to address racial profiling. Chief Sizer and Lieutenant Dana Lewis provided information on the training, policies and procedures already in place. At the first two meetings, Chief Sizer brought four books: the criminal code, traffic code, and policy manuals as visual demonstrations of the laws and procedures guiding police practice on the streets and of the level of training and preparation officers must complete before beginning their careers.

Chief Sizer shared stories from her rookie days in Northeast Precinct, noting the rewards of establishing friendships with community members and the value of having a good relationship with the community to gauge her effectiveness as an officer. Her comments demonstrated her belief that racial

profiling is an impediment to good policing.

Lt. Lewis reviewed the computerized role-playing ethics training, *Perspectives in Profiling*, that all Portland police officers completed this year—an effort to train officers in ethical decision-making. Lt. Lewis offered to provide this training to the planning committee. Their evaluation is provided in Appendix D.

After participating in two listening sessions, Chief Sizer determined that her portion should be shorter to allow for more time in small group dialogue. In several cases the training presentation was dropped due to the amount of community testimony that was presented.

The Power of Small Group Discussions

Group Discussion Questions:

- 1) What does racial profiling mean to you?
- 2) Why do you think people of color are pulled over or searched more often?
- 3) What changes (remedies) should happen in order to eliminate racial profiling?
- 4) How can the community and Portland Police Bureau partner in order to create lasting solutions for racial profiling?

For all participants, the small group discussions were the most powerful part of the listening sessions. Groups varied in size from six to ten people, with one or two officers in each. A facilitator was assigned to each group to ensure equitable participation and that ground rules would continue to be enforced. Groups chose their own note-takers and representatives to report back to the whole.

The depth and intensity of small group discussion was inspiring—though naturally not all groups had the same level of discussion. Groups varied in mood, from intense, focused concentration to lighter, humor-tinged conversations. Though all conversations were valuable, some small groups were able to reach a deeper level of understanding of the effects of racial profiling and the challenges police face doing their job effectively.

Community members and police were changed by their participation. Profound shifts in attitude from distrust to faith; from defensiveness to acceptance; from an individual to a community perspective; from self-justification to empathy gave participants the belief that they were on the right track. This is the power of creating a safe place where all parties to the problem—police and community members— can bring their authentic selves to the table to jointly identify solutions and remedies that would not be possible working alone.

Conversations with community members and police officers revealed that, at first, the police were there because they were told they had to be and the community attended because they were frustrated and wanted to vent. In the end, however, both

Listening Session,
North Portland Precinct



“Police think that someone with baggy pants, unlaced shoes, or with a hat sideways is in a gang automatically. A gang member or a drug dealer could look like my mom if they wanted to.”

—participant

community and police felt a sense of *we are in this together, for better or worse; therefore it is in our best interest to work together to solve the problem of racial profiling.*

Reporting Back

The last portion of the meeting was designed for small group report-backs so that all the participants could hear about the conversations and ideas from the other groups.

The first two experiences were so intense that it was very hard to get participants to stop talking when the allotted time was completed. In fact, on two occasions the facilitator was forced to turn the lights off in an attempt to end conversations. The value of this dialogue was apparent to the participants, who often lingered after the listening sessions ended, exchanging business cards and making plans to connect again to continue the conversations they started that night.



*“Why file a complaint?
The police will not investigate themselves and a police officer has never been found guilty of any of their actions against the public.”
—participant*

A System of Accountability: Not Yet?

During the listening sessions, several community members who described incidents of racial profiling were asked if they reported it. Over and over, people said they didn't bother because it would not be worth the effort and might lead to reprisal. As one person said, “Why file a complaint? The police will not investigate themselves and a police officer has never been found guilty of any of their actions against the public.” Portland's current system for resolving complaints of racial profiling or other police misconduct is ineffective and is not trusted by the community.

According to Portland Copwatch, police misconduct costs the City of Portland an average of \$350,000 per year settling excessive use of force and wrongful death cases. However, that is not the only cost. Other costs include a detrimental effect on police morale, increased community suspicion and distrust and less cooperation with the police in addressing crime. The cost of racial profiling is even less quantifiable. How do you measure the cost of humiliation, shame and alienation? How do you measure the cost of marginalizing a fifth of the community?

The Independent Police Review Division (IPR) and the nine-member Citizen Review Committee (CRC) were created in 2001 to help improve police accountability, promote higher standards of police services, and increase public confidence. This system was crippled from the beginning by the conflicting desires to maintain the independence and morale of the Portland Police Bureau and its officers and to respond to community demands for accountability. Any system of police accountability must carefully balance these concerns, but by weighting the balance on the side of protecting Portland Police Bureau interests, the current system utterly fails to provide accountability.

The IPR is not as independent as its name implies. After receiving a complaint from residents or from within the Portland Police Bureau, staff decide how to handle the complaint. Complaints may be assigned to an Internal Affairs Division (IAD) detective, an IPR investigator, treated as a service complaint, set for mediation or dismissed entirely. The IPR also reviews officer-involved shootings and in-custody deaths (Internal Affairs Complaint Process). Because IAD has such an integral role

in investigating complaints, most decisions about how a complaint is handled are made by IAD—giving a division within the bureau a troubling degree of discretion over the process. This creates a conflict of interest resulting in a lack of faith in the fairness of the complaint system.

The Citizen Review Commission lacks accountability and power, serving merely to report community concerns, develop policy recommendations and offer advice in the handling of complaints. The CRC has no direct involvement in the complaint process unless there is an appeal. CRC decisions are not binding and they do not review the vast majority of complaints, since they only review appeals. According to the Executive Summary of the IPR's 2004 Annual Report, only two resident-initiated complaint appeals resulted in the CRC challenging findings made by the PPB (IPR, 2004). In 2003, over half of CRC's members resigned, frustrated over lack of authority. The CRC's ineffectiveness was obviated by its own inability to recognize and address the practice of racial profiling by the Portland police.

Having created a police review system that lacks authority and with an investigative and reporting process that is riddled with conflicts of interest, it is not surprising that the community lacks faith in the system. Since they don't file complaints, a large number of troublesome incidents disappear from official view, though they linger in the minds and memory of the community.

It's our belief that systemic under-reporting of racial profiling and other police misconduct are detrimental to the Portland Police Bureau as well as to the community at large. Effective policing demands that police forge bonds of trust and good faith with the public, especially within communities of color. With reality obscured by an ineffectual and unbalanced review process, assessments of Portland Police Bureau performance, policies and practice are hindered by inaccurate and incomplete information—damaging the Portland Police Bureau and its relationship with the public.

Listening Session,
North Portland Precinct



REPORT RECOMMENDATIONS

Next Steps to Eliminate Racial Profiling

Report Recommendations and Next Steps

"Next steps include continuing the work of police and community working together to develop strategies that get to the root cause of this problem and to keep racial profiling a priority until 'real change' occurs."

— Portland Mayor Tom Potter

The Community Listening Sessions produced dozens of recommendations of varying degrees of practicality and workability. The planning committee reviewed them all, deciding quickly that it would be counter-productive to advance a laundry list of recommendations. Instead, the committee chose to present a select group of recommendations, which build on the community-police partnership developed through these sessions and that can best move us forward at this time. In choosing to highlight certain recommendations, the committee drew on an extensive review of best practices around the country. The planning group was also committed to the premise that both the police and the community must take responsibility and work together to eliminate racial profiling. The recommendations listed below reflect that joint responsibility and accountability.



Recommendation 1: No later than January 2007, the Portland Police Bureau should develop a written plan, with community stakeholder input, to eliminate racial profiling.

The Portland Police Bureau is in the best position to determine what internal policy changes are necessary to eliminate the practice of racial profiling. Community organizations should be invited to participate in the development of the plan, but do not have the policy and cultural knowledge of the police department to develop these recommendations on their own. The listening sessions committee is willing and able to provide assistance to the bureau in the development of this plan.

The committee conducted a national search of promising practices used around the country to eliminate racial profiling. The committee suggests that the Portland Police Bureau consider the following best practices as it develops its plan:

1. Increased cultural competency and effective communication skills training for all officers.
2. Increased recruitment and hiring of officers of color as well as officers with demonstrated cultural competency.
3. Development and implementation of a protocol for respectful communications when conducting a stop.
4. Provision of a business card to community members at the conclusion of all stops.
5. Requirement of written consent for all consent searches.

Recommendation 2: Community organizations should create and implement public education programs on the attitudes and behaviors that are appropriate during traffic and pedestrian stops, as well as on the legal rights of individuals, so as to minimize conflict or escalation at the scene.

Police officers know colleagues who have died when a routine stop escalated into violence. People in the community know or have read of individuals killed by police where police judgment and fairness have been questioned. This subtext imbues encounters between police and community members with anxiety and dread—and the potential for dangerous escalation through misunderstanding and fear. There have been too many lives lost due to escalation of anger at traffic stops by police and by community members.

It is incumbent on community-based organizations to provide detailed information on the appropriate response when stopped by police, as well as on the constitutionally protected rights of individuals when interacting with the police. Providing community members with education, especially to our youth, is necessary to ensure their safety and that of the police. Organizations with close ties in the local community are in the best position to develop and conduct this training program.

Recommendation 3: No later than December 2006, the Portland City Council should convene a commission whose role is to monitor data collection, review internal policies and take community input to eliminate racial profiling.

The establishment of a Racial Profiling Commission will raise the profile of this issue and provide the City Council with an ongoing body that will be charged with eliminating this problem from the Portland Police Bureau. We believe that the City Council has a role in monitoring the work of this commission and recommend that the commission report to the Council on an annual basis. The planning committee believes the Council should provide a minimal level of funding for this effort. The planning committee will work with Chief Sizer to seek additional funding to support the work of the commission and to assist the community groups with fulfilling their responsibilities on this project. Organizations that should be asked to be a part of the commission are:

1. Oregon Action
2. NW Constitutional Rights Center
3. Center for Intercultural Organizing
4. Latino Network
5. Sisters of the Road Cafe
6. Portland Copwatch
7. Alliance for Police and Community Accountability
8. Public Defender's office
9. Multnomah County Community Corrections
10. Albina Ministerial Alliance
11. Mayor's Public Safety Liaison
12. Portland Police Association
13. Citizen Crime Commission
14. Portland Police Bureau Command Staff
15. Teen Summit
16. Miracles Club
17. Native American Youth Association
18. Asian Pacific American Network of Oregon / Asian Family Center
19. Brother to Brother
20. Islamic Society of Greater Portland
21. American Civil Liberties Union, Oregon Chapter

Recommendation 4: Community organizations should develop additional community listening sessions, or other activities and events, that create a safe environment for police and community members to participate in structured dialogue.

Both the Portland Police Bureau and community members expressed a desire for more opportunities for dialogue and interaction in non-police related functions. While listening sessions are one avenue to create understanding, community groups should develop additional opportunities for police and community interaction in non-threatening, non-police related activities. Any opportunity for police and community members to spend time together getting to know each other as individuals is helpful in breaking down the mistrust that currently exists. Although police felt that ride-alongs were a good way to build interaction, community members felt that was the least effective strategy to form relationships with the community, but that individual out-of-uniform officers attending community festivals and events, community organization meetings and neighborhood events would be more effective.

Recommendation 5: Starting immediately, the Portland Police Bureau should collect and analyze data on individual officers' traffic and pedestrian stops to determine the extent to which racial profiling occurs institutionally.

One common response to data on racial profiling—such as that revealed by the Portland Police Bureau's Stops Data—is that racial profiling is the result of the actions of a few individuals and that it is not a systemic problem. In order to determine whether “a few bad apples” are the source of the problem or whether racial profiling occurs bureau-wide, we recommend that data on individual officers' traffic and pedestrian stops be collected and analyzed regularly, starting immediately. Coding and analyzing stops data for individual officers in addition to the entire bureau will clarify the extent of racial profiling and disparate policing within the Portland Police Bureau. Anecdotes and assurances do not replace data, and the means to the data is in hand. The best solutions to eliminating racial profiling can only be developed when we know the extent of the problem.

Recommendation 6: Community organizations should assist community members with filing complaints against officers who they believe have treated them inappropriately, so that a written record is developed and incidents are promptly investigated and resolved.

Due to the current mistrust of the police complaint process, community-based organizations should develop a process that assists community members with the filing of complaints or commendations of officers. Community partners should also monitor the Citizen Review Committee process and notification of complainant or other options, including legal remedies for redress.

GLOSSARY

Terminology Used in This Report

Racial Profiling: Portland Police Bureau policy directive (344.05) states members are “prohibited from taking any police-initiated action that relies on the race, ethnicity, or national origin rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity.” During the Community Listening Session, Portland police officers commonly defined racial profiling as “when race is used as the *sole factor* in making a decision to stop, question and/or search an individual.” For the purpose of this report, *we are defining racial profiling as the inappropriate reliance on race as a factor in deciding to stop and/or search an individual.*

Personal Racism: The range of individual expression of racism in words and actions, from mild to severe forms. Personal racism can be expressed in small ways such as avoiding encounters with people of color to the more obvious committing of hate crimes and violence against people of color.

Cultural Racism: Accepting that the norms, values and standards of white society are qualitatively superior to the norms and values of other communities. For example, defining white fashion preferences and styling as professional, defining the nuclear family as the ideal family model while defining single-parent families as “disadvantaged” or multi-generational families as “too large.”

Institutional Racism: The systematic and historic oppression of people of color and the power to uphold it through institutions. Institutional racism is characterized by the way institutional systems, such as government, education and employment, adopt cultural norms and apply policies and procedures in ways that discriminate against people of color or advantage white people. Examples include racially biased admissions tests for institutions of higher education, exemptions of agricultural labor from most workplace protections and the lack of people of color in the administration and management of most of these institutions.

Pretext Stops: Stopping motorists or pedestrians based on probable cause that they may be involved in unlawful activity, absent observable criminal behavior at the time of the stop.



Appendix A

Institutionalized Racism at the Policy Level Perpetuates Disparate Outcomes

*"The whole point of institutionalized racism
is that coordination is unnecessary."*

—Hilary Shelton

Americans experience racism at three different levels, the **personal**, the **cultural** and the **institutional**. When most people think of racism, they think of it at the personal level—the use of racist words or making racist assumptions about people. Racism at the cultural level assumes white cultural values as the norm and the values of other cultures as aberrant or deviant. An example of this is the frequent criticism and prohibition of multi-generational families living together with a dozen or more family members in one house, even though this is normative in many parts of the world. Likewise, the criticism of black hair styles as unprofessional or unkempt is an example of cultural racism. Such definitions of normal and aberrant integrate racist stereotypes into how we see the world.

Our focus in this report is racism at the institutional level. Institutionalized racism adversely affects people of color and communities of color without any one person having to consciously or deliberately act in a racist way. As Hilary Shelton says, that is the point.

One of the most profound examples of institutionalized racism at work was the exemption of agricultural and domestic labor (which was 80% African American) from key legislation that helped create the middle class. Excluding these occupations from Social Security, Unemployment and Minimum Wage laws and exempting them from union-friendly labor laws left the African American community out of the greatest wealth creation economic expansion in our history. Moreover, it institutionalized a racially-biased economic security system with patently unjust exemptions that continue today, thus weakening the bargaining power and the earnings potential of Latinos, who now constitute the majority of agricultural and domestic labor jobs.¹

Institutionalized racism affects the criminal justice system at every stage of the process—from when laws are made to when sentences are passed down—exponentially increasing the overrepresentation of people of color under criminal supervision. With cruel irony, the effects of institutionalized racism, including the overrepresentation of people of color in prisons, is then used to justify more overt forms of racism such as racial profiling. For example, police defend their practices by citing incarceration rates (e.g., “we go where the crime is”) when over-policing is partially responsible for high incarceration rates.

Initial Contact: the Portland Police Bureau

The Portland Police Bureau is not representative of the Portland community

In looking at the makeup of the Portland Police Bureau and who makes the stop, search and arrest decisions, people of color are strikingly under-represented.

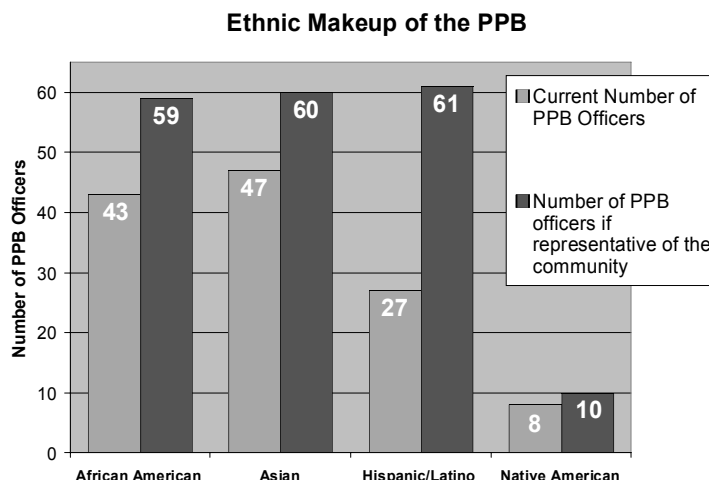
Eighty-six percent of the Portland Police Bureau's sworn officers are white, even though Portland's population is 77.9% white. Only 4.8% of Portland Police are African-American though the Portland community is 6.6% African American. The proportion of Latino officers (3%) is less than half of that in the community (6.8%). Two or three percentage points can add up to a significant number of officers. In Portland, there would be 65 additional PPB officers of color if their representation were proportional.

¹ Katznelson, Ira. When Affirmative Action Was White. New York; W.W. Norton. 2005.

We believe that would make a difference in both police practice and community experience. The graph to the right demonstrates the difference between the number of officers of color currently serving in the PPB and the number of officers of color that would be serving on the PPB if it were representative of the ethnic makeup of the Portland community (and the total number of officers remained 895).

Does this mean the people making hiring decisions deliberately exclude qualified people of color? Not at all. In fact, the Portland Police Bureau actively recruits in people of color newspapers and media and seeks to be more representative. However, when one-third of

African-American men are under the supervision of the criminal justice system—whether under arrest, incarceration or parole—the hiring pool is already limited. Additionally, there is significant community distrust of the criminal justice system and a natural resistance to joining an institution perceived as oppressive. Then there are the unconsidered requirements that eliminate people from the applicant pool. For example, when Chief Kroeker banned longer hair, sideburns, beards and braids in 2000, he enforced white norms for hair styling and appearance, disallowing African-American normative styles such as braids and facial hair. Although Chief Foxworth loosened some of those restrictions; the ban on facial hair remains even though many black men report serious skin irritation from shaving. That the Police Bureau is looking at removing these unnecessary cultural restrictions on police recruitment is demonstrated by Chief Sizer's recent announcement proposing to rescind the ban on visible tattoos—a ban that has no bearing on policing qualifications other than reinforcing cultural norms.



Institutionalized Racism in Portland's Criminal Justice System

The implementation of the city's Exclusion Zone Ordinance discriminates against people of color

Portland's exclusion zones, the first of their kind in the nation, have been controversial since their inception in 1992. Exclusion zones are designated as 'drug-free' or 'prostitution-free' by the City Commission based on frequency of arrest data for those zones. Currently, there are four zones, all of them in the areas with the highest concentration of people of color.

The police issue exclusion orders—a civil punishment—barring people from entering zones for 90 days except for the most basic reasons, for example going to a job located in the zone. They are only issued for offenses committed on the street, not for offenses committed in private, indicating their purpose is to police space, not to reduce crime. The PPB's own analysis demonstrated an alarming lack of accountability in the process, leading to some reforms tightening the criteria for issuing orders this spring. Although the new plan is an improvement, it does not address key institutional factors that make the Exclusion Zone Ordinance extraordinarily damaging to communities of color. Systemic problems with the Exclusion Zone Ordinance fall into two categories: the ordinance invites over-policing and profiling of communities of color and the ordinance lacks safeguards against abuse and misuse.

Exclusion Zones invite over-policing and profiling of communities of color. The ordinance encourages pretext stops, identifying people to stop based on how they look and where they are—not on what they are doing. "Looking suspicious" is a purely subjective criteria, particularly when what looks suspicious is based on white

cultural norms. Exclusion zones are designated based on the number of drug- or prostitution-related arrests in a particular area. Since the decision to arrest is discretionary and determination of what is suspicious is based on criteria subject to preexisting biases, any overrepresentation of a racial or ethnic group will affect where exclusion zones are created instead of locating them where there is a higher prevalence of drugs.

It is also clear that in practice, exclusion orders are being issued to people of color in numbers far greater than their share of the population: 58.5% of the 838 drug-free zone criminal counts brought against the Metropolitan Public Defender's clients since the beginning of 2003 were brought against African Americans. In addition, 63.4% of the 4,015 cases brought by county prosecutors alleging violation of zone exclusions during the same period were brought against African Americans. Since the prevalence of drug use by whites and African Americans is about the same, citing African Americans at 10 times their share of the population damningly demonstrates severe cultural and racial biases in the administration and execution of the exclusion zone program.

The Exclusion Zone Ordinance lacks adequate protections against abuse and misuse. An exclusion order is a civil not a criminal sanction, stripping away many of the rights and privileges that defendants have in criminal proceedings. Police may rely on observed behavior, not physical evidence, to issue an exclusion and the burden of proof is much lighter, requiring only the 'preponderance of the evidence' rather than proof 'beyond a reasonable doubt.' In fact, unless the exclusion order is challenged, no one ever determines whether a crime was actually committed. Under this ordinance, people are guilty until they prove themselves innocent. And proving oneself innocent under the ordinance is very difficult. Those already burdened by poverty, mental illness, drug addiction and homelessness may be unable to file an appeal within the 15-day deadline. They also may be unable to argue effectively in their own favor. Since it is a civil offense, a public defender is not provided to argue on their behalf. During a period in 2003 when 1,982 exclusions were issued, only 26 appeals were filed. The overwhelming majority of exclusions are enforced with little or no review of an officer's determination of guilt. This places too much power in the hands of the police with too little oversight and review.

As illustrated in the following charts, it is clear that the exclusion zone policy disproportionately burdens African Americans.

Portland Exclusion Zone Statistics



The city government's current system for complaints of racial profiling by police is ineffective

The costs associated with racial profiling are difficult to quantify. They can be measured in the level of distrust of the police and the courts—a distrust that not only marginalizes people of color, but also reduces community support for policing efforts. When the complaint system is ineffective and captive to police interests, people believe they have no legitimate recourse.

The Independent Police Review Division is part of the police bureau whose investigations are conducted by police. The Citizen Review Board has no power to conduct its own investigations and its recommendations are not binding. Without real power, the concept of citizen review is a shadow.

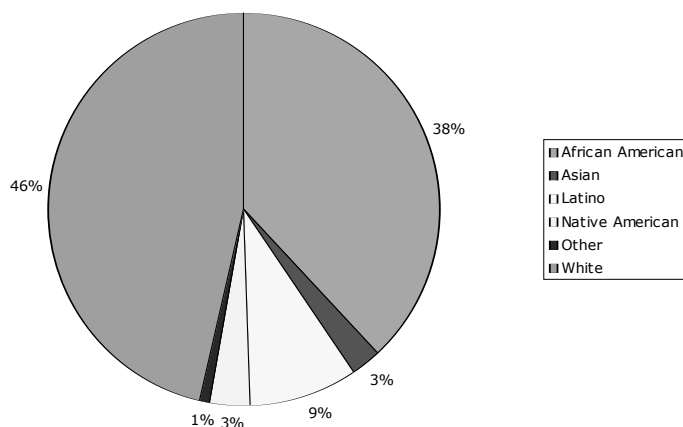
An effective oversight system would (1) be independent of the police; (2) employ unbiased, independent investigators; (3) be accessible to the community; (4) have the authority to make binding decisions and policy recommendations; and (5) have direct community participation at all steps of the system (Northwest Constitutional Rights Center, 2006).

A systemic problem

In 1994, the Oregon Supreme Court performed a system-wide audit of racial bias in the administration of justice in Oregon and confirmed that people of color are more likely to be arrested, charged, convicted and incarcerated and less likely to be released on bails or put on probation. This audit can be found online at <http://www.ojd.state.or.us/osca/cpsd/courtimprovement/access/publications.htm#progress>

Pre-sentencing reports often include information on family background—including information on relatives with a criminal history, education, marital status and employment history. These factors often disadvantage people of color when sentencing recommendations are made. This effect is most profound in juvenile sentencing. The Juvenile Justice Information System report on juvenile justice admissions in 2005 demonstrates disturbingly disparate admission rates for youth of color, in particular for African American youth. Fifty-eight percent of admissions were youth of color. Thirty-eight percent were African American youth, nearly six times their representation in the community. This disparate admission rate of youths will adversely affect their life opportunities and increase the severity of future encounters with the criminal justice system.

Juvenile Detention Admission in Multnomah County by Race: 2005



APPENDIX B

Replicating the Listening Sessions in Your Community

We believe that the environment in which community listening sessions occur is critical. They need to happen at a time when there is no driving community outrage over a particular incident between police and individuals. If the conversation is about individuals instead of community—those individuals can be discredited through public relations campaigns, the police will be defensive and fearful of litigation and anger will overpower dialogue.

Before the Sessions:

1. A listening session campaign must originate in community organizations that are trusted by the community and the police. Multiple community organizations with the capacity to do outreach into different communities of color are needed.
2. The police bureau must commit to participating in the process.
3. Listening sessions should be held in multiple areas of the community in order to allow low-income people dependent on public transit to attend and to avoid the idea that racial profiling might only be a problem in a few precincts. It's also a good idea to organize a separate youth listening session to address their specific concerns and needs.
4. Listening sessions must not be held in police headquarters or other venues that would increase community members' fear of arrest or reprisal.
5. Street officers should be asked to attend out of uniform and without their sidearm to put community members at ease.
6. Supportive media stories should be solicited in advance to promote turnout and the stories should clearly define the goals of the listening sessions and assuage community members fear of participation.

During the Sessions

1. Participants should set ground rules themselves at the start of the meeting.
2. Strong facilitation is needed to keep the dialogue focused on the specific problem of racial profiling—and to avoid segues into general discussions of racism, the history of racist oppression and to protect participants from hostile reactions to what they say.
3. The facilitator must make clear at the outset that the existence of racial profiling is not under debate, but is accepted as a given. The purpose is eliminating racial profiling, not enabling it.
4. Community members should present their own experiences. Testimony that includes how racial profiling makes them feel and its long-term effect is most powerful.
5. The police bureau should present information on current efforts to reduce racial profiling and to train officers, making later discussions more productive by letting everyone know what programs are already in place.
6. Small group discussion with police officers in each of the small groups is the most powerful element of the listening session.
7. Each small group should include a facilitator and groups should select a recorder and a reporter.
8. All groups must have a list of questions to answer, beginning with defining racial profiling.
9. Their ideas should then be reported back to the full group without critique, with discussion limited to seeking clarification.

After the Sessions

1. Community leaders from the several participating organizations should review the recommendations and prioritize a manageable number of those most likely to have the greatest impact.
2. Recommendations should be presented to the community through public testimony to the city council and in a published report.
3. Community organizations who have participated in this process must commit to continuing support of the implementation process.

APPENDIX C

Portland Police Bureau Traffic Stops Data

In May 2006, the Portland Police Bureau released their Stops Data Collection for 2004 and 2005, which demonstrated with empirical numbers what members of the community have been saying for years: *people of color are stopped and searched in disproportionate numbers by the Portland police.*

Driver's Perceived Race/Ethnicity	2004 Traffic Stops	2005 Traffic Stops	2000 Census: Age 18 or older
	Percent	Percent	Percent
African-American	13%	13%	6%
Asian	4%	4%	6%
Hispanic/Latino	8%	9%	6%
Native American	<1%	<1%	1%
White	71%	68%	79%
Unknown/other	4%	5%	<1%
Multiracial	-	-	3%
Total	80,073 (100%)	79,419 (100%)	

The release of this data was significant in two ways. It moved the story of racial profiling from anecdotal evidence provided by the community to data provided by the police themselves—eliminating any grounds for shrugging off claims of racially disparate treatment. The reaction of the Portland Police Bureau to the data was equally significant. Foregoing the usual exculpatory arguments, the bureau committed to addressing the issue of racial profiling. As Chief Sizer said in the report release “it is less important to figure out whose perception is accurate than it is to work on every strategy that may help change the perception. Therefore, we recommend that the Portland Police Bureau consider the results of the stop-decision perceptions in this report and develop additional innovations, from the minor to the bold, to move these numbers as well.”

When a Portland police officer completes a traffic stop, he or she must submit information about the gender, age, and race/ethnicity of the driver as well as information about the reason for the stop, whether there was a search conducted, and what the outcome was. The data collected about race/ethnicity of those people stopped was compared to 2000 US Census data of the racial/ethnic makeup of the overall Portland population. 2005 Portland Citywide Stops Data show that African-Americans and Hispanic/Latinos are overrepresented in citywide stops compared to the overall Portland population; whites and Asians are underrepresented compared to the overall city population. African Americans were the most overrepresented group, comprising 13 percent of all stops, but only 6 percent of the overall population (PPB, 2006). The same data were divided into the geographic areas where each stop was made. African Americans were overrepresented in all five Portland precincts; Hispanic/Latinos were overrepresented in four of the five precincts; and whites were underrepresented in all five precincts (PPB, 2006).

African-Americans, Latinos, and Asians are more likely to be unnecessarily searched. Search data for the 2005 show that African Americans and Hispanic/Latinos are more likely to be searched during a traffic stop than whites. If searches of African American or Latino drivers were more likely to result in the discovery of contraband, the preferential search of these groups could be justified. However, just the opposite is true. When conducting searches, police officers are actually less likely to find illegal items (drugs, weapons, contraband) with African Americans, Asians, or Hispanic/Latinos than with whites. In 2005, illegal items were found in 28 percent of searches of whites while illegal items were found in 23 percent of searches of African Americans and Hispanic/Latinos and 25 percent of Asians. If race were not a motivating factor, the percentage of illegal items found in a search should be the same for all race groups. Since police have been less likely to find illegal items among African Americans, Asians, and Hispanic/Latinos, it is evident that police are inappropriately using race as a factor when deciding who to search and thus, conducting more unnecessary searches of people of color.

Table to Right: 2004-2005 stop ratios of African-American and Hispanic/Latino drivers relative to white drivers in Portland, Oregon. African Americans were stopped 3.9 times more often than in the Central Precinct where they constitute 2% of the population. By contrast, African American drivers were stopped twice as often as whites in the Northeast Precinct, where 20% of the population is African American. Thus, the data suggest that African-Americans are more likely to be pulled over in precincts where they account for a smaller percentage of the total population.

	Citywide	Central	East	North	NE	SE
African-Americans:						
2000 Adjusted Census: 18 or older	6%	2%	3%	9%	20%	2%
2004	2.4	3.8	3	2.1	2	3.7
2005	2.5	3.9	4.4	2.2	2.3	4.4
Hispanic/Latinos:						
2000 Adjusted Census: 18 or older	6%	4%	7%	10%	7%	4%
2004	1.5	1.3	1.6	1.1	1.4	1.9
2005	1.7	1.7	1.9	1.3	1.4	2.5

APPENDIX D

Perspectives in Profiling Training Curriculum

Lt. Dana Lewis, training officer for the Portland Police Bureau, conducted the *Perspectives in Profiling* training in July 2006 for members of the Listening Sessions Planning Committee so they could experience and evaluate the training program first hand.

All sworn officers within the Portland Police Bureau completed this course as part of their 2006 in-service training. According to Lt. Lewis, the training was developed as an eight hour program, but it was reduced to only three hours to accommodate the limited training time officers have.

Perspectives in Profiling is a video role-playing training program that presents officers with ethical dilemmas. Their path through the training program is determined by the decisions that they make.

While all listening sessions committee members thought the training was a good first step, segments of the training left participants skeptical that officers would respond as the video enactments suggested.

In one example, a senior officer and a rookie (with one year on the force) are in their police vehicle. The senior officer sees an attractive woman who he knows as a hygienist at his dentist's office. The senior officer suggests to the rookie, "I know her, she's cute, put your lights on and pull her over." The training asks what the rookie officer should do? Clearly, he should refuse, but participants doubted that he would overrule his partner, a senior officer with influence over his evaluation.

Participants were also concerned that an in-service program designed to take eight hours had been cut to three, eliminating potentially good information and context from the training. Additionally, a multi-ethnic training team would strengthen the training program. Unfortunately, most Portland Police Bureau training seminars lack multi-ethnic training staff.

The committee believes the participation of people of color in PPB diversity and cultural competency training is essential to develop better understanding of varying cultural and ethnic norms that can impede effective and respectful communication. While video enactments have their place in training rapid decision-making, active participation by the community in preparing officers for their work will not only demonstrate community support of the Portland Police Bureau, but will better prepare new officers for the experiences they will encounter as they are learning to be culturally-competent community policing professionals. Additionally, bringing the community into the process of training officers creates a shared set of expectations of how the officers will respond when they are in the local community.

