

Possum Incident: Police administration supports officers

This is the third in a series of excerpts from the Arbitration Hearings in the termination of police officers Craig Ward and James Galloway, resulting from the "possum incident".

Testimony offered at the arbitration hearing demonstrates that Portland's police officers rejected the counsel of their Chief and Commissioner. When Chief Baker attempted to reach his men through a newsletter mailed to their homes, they petitioned him to suspend publication. When Captain McCabe of North Precinct attempted to ask his officers to consider racial and economic problems, his memo was intercepted by Lt. Haven.

The administrators and the street officers also rejected, almost unanimously, the decision of Jordan and Baker to terminate the two officers. Their testimony demonstrates almost total lack of understanding of or regard to the implications of their act.

The City's case against the two officers was centered in large part on two major allegations: that the officers' behavior was a violation of their duty to strive to attain highest professional standard of conduct and not to commit any act that would bring reproach or discredit on the Bureau; and their contention that the incident precluded their return to police work with public acceptance and respect.

Chief Baker testified in response to the question: "... In your judgement could Ward and Galloway function as police officers in the Portland Police Bureau unequivocally?"

"Well, that's a very difficult question, unequivocally. I think on balance, that no, not in my mind, they could not. But if you are talking about the pure technical aspect of being a patrol officer, wherever they went in the City they would run up against some people who would be offended by their presence in uniform and as police officers. They would run up against other people who would congratulate them on the fact that they were working a patrol district that would not be offended by them.

But if they were to be -- if they were to function as a police officer, I think you would have to look at the total situation and what message would be delivered by that to the public in general.

... You would be telling the public that this is okay. This kind of behavior even though there may not have had a lot of thought that went into it, but that this kind of expression of the relationship between the police and the public, the police come first and the public comes second, is acceptable, that the first thought will be to the police and not to the public, and that if you can't manage to successfully conclude a police case by a prosecution or an arrest or can't resolve a police problem, that methods of this kind are

permissible and acceptable within the City.

Other command officers did not support the Chief, but testified on behalf of the officers.

Captain William Richardson, commander of East Precinct, testified, "I'd have no problem taking either of these officers back... I'm simply saying that if these two officers were assigned to me at East Precinct, I would have no problem with their effectiveness as being police officers on the street."

Q. Do you agree or have an opinion as to whether police work requires the trust of the citizens and that police have to have the credibility of the citizens they serve?

A. Yes, it does.

Q. And do you think that the citizens in the North Precinct would have that credibility and trust of officers Ward and Galloway?

A. I think most of them, yes.

Q. Do you?

A. Yes.

Q. Have you talked to any of them?

A. Citizens

Q. Uh-huh, out there.

A. I've had -- I've talked to citizens, not necessarily in North Precinct.

Deputy Chief Robert Schwartz was commander of Central Precinct. He testified, "I would have welcomed them at Central Precinct, and I approached the deputy chief in charge of the branch and told him that, that I thought they were fine officers and had fine reputations and the best information I had to -- we'd like to have them at Central Precinct."

Officer Bruce Pantly is the officer whose inability to get along with his fellow officers reportedly caused tensions among the North Precinct officers. Ward and Galloway maintained the "possum incident" was a way to diffuse this tension.

Pantly was also one of the officers participating in the incident.

Pantly testified, "Most people that I have talked to, Black residents of the District in which I work, view it as an incident of bad judgment but they consider where the incident occurred and who would have been affected by the incident. The people of the geographic area.

"I have not heard a comment as to these officers and their inability to return to work in that area or any given area...

"Again, the comments that have been made to me from members of the community are, first, that it wasn't, in some ways, humorous. Second, that

it was, at worst, a bad judgment. But that it's time to get back to what are perhaps the much more important problems that we have to deal with in the community and it would be my perception that they would have no significant problems returning to that community or any community.

Arbitrator Gary Axon stated in his findings that he was especially impressed with the testimony of Officer Charles A. Moose, who is Black.

Officer Moose testified in response to the question as to whether the officers could gain support of the citizens, "Well, it confuses me when, you know, when you make such a general statement there about the -- effectively communicating with people. Because I think part of the problem would be that there would be certain people, you know, that would want to say that they couldn't communicate with them or get along with them. But I think most of the -- the way I perceive a lot of police work is there are a lot of victims and when you've got a victim out there and he's got a chance there to help the victim or if you've got someone that's willing to give you some information as to what they say, maybe a lead or some information about a certain crime, then I think that these people are part of the community, too, and they are going to talk to anybody that's a policeman or anybody that's there to try to help them.

"Now to the people I would see that wouldn't talk to Ward and Galloway is, you know, the might be some guy there in front of Burger Barn with no identification at 3:00 o'clock in the morning. When they go up and ask him his name, well, this person, well, he's not going to cooperate with them. But I don't even know if he's going to realize it's Ward and Galloway."

Connie Gaffney is Chairman of the East Precinct Citizen's Advisory Council. She testified that the Council had taken a poll of its members; one person favored termination and six favored a thirty day suspension.

The officers who testified demonstrated little if any knowledge of or interest in the feelings and reactions of the Black community.

Unfortunately citizens of North Precinct and members of the Black community were not privileged to testify about their concerns and those of their neighbors, the impact of this incident on the community, or their opinions as to the probable community acceptance of the officers.

No Black organization or spokesperson testified, not even the Greater Northeast Precinct Council which represents the affected area and acts as an advisor to the Bureau and Commissioner.

The City relied solely on the testimony of Jordan and Baker to support its allegation that the officers could not gain community acceptance.

PDC targets Northeast area

(Continued from page 1 column 6) ure targeted for the Northeast come from? Well, other than the \$21,636 granted to River East Progress, Inc. (a development corporation seeking legal status giving it access to Small Business Administration funding), and the \$85,000 budgeted for PDC's Union Ave. office, the balance is composed of loan funds, some of which are specifically geared to minority-owned businesses, but the majority of the money is subject to city-wide competition and probably won't aid the inner Northeast area.

The Industrial Site Development Loan Fund provides low interest financing to assist in developing industrial property with physical or structural limitations. The total fund of \$1,303,000 includes one-third proposed for Northeast development (\$434,444). This fund has eligibility criteria that require the project to be industrial development; more than 50 per cent of the resulting jobs be blue collar, and a private lender must match the city funding in a 3-to-1 ratio.

The \$1.6 Economic Development Revolving Loan Program is for small business expansion and may

be used for land and building acquisition, rehabilitation and equipment purchase. One-third is specifically set aside for minority-owned businesses (\$536,250), but as of Sept. 15, 1981, only \$395,000 remained, and if two pending minority loan applications totaling \$367,500 are approved, the minority fund balance will be down to \$27,500, hardly enough to undertake any significant business expansion. This program requires that 50 per cent of the loan come from a private lender.

Two minority business loans had been made from this fund as of Sept. 15, according to Nancy Farr, PDC financial assistance coordinator. One went to Ota Tofu (\$120,000) and \$21,250 went to Tuan's Automotive. Farr refused to identify the pending loan applicants, but did describe them as Hispanic and Oriental, respectively, and said all are in or border the Northeast area. (One loan made last fall went to a Northeast business, but not minority-owned—Color & Design, a graphics company.)

The Investor Rehabilitation Loan Fund makes low-interest loans for rehabilitation of commercial and

mixed-use properties, and requires 50 per cent lender participation. It has \$200,000 available, with a maximum loan amount of \$50,000. The property to be rehabilitated must be in the Union Ave. corridor or in the St. Johns Business District.

Adding up the total amount of potential money available to develop the inner Northeast area, one gets just over \$1 million. If \$15 million couldn't accomplish enough in the past, how can \$1 million do much today? It's a hard question, and one the city must face.

In a part of Portland where unemployment has consistently been double that of the rest of the city; where 46 per cent of the population is classified "blue collar" (according to job applications filed at the Oregon Employment Division office on N. Vancouver Ave.); where 60 per cent of the households are of low or moderate income and 24 per cent are at or below the poverty line, and where business vacancy rates are twice that of the rest of Portland, it would appear that it's time to do more than put band-aids on the problem.

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