

# OREGON STATE LODGE FRATERNAL ORDER OF POLICE



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May 11, 2021

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## **VIA EMAIL ONLY**

Hon. Floyd Prozanski. Chair  
Senate Committee on the Judiciary and Ballot Measure 110 Implementation  
Oregon State Senate  
900 Court Street  
Salem, Oregon 97301

Sen Prozanski and Members of the Senate Committee on the Judiciary and  
Ballot Measure 110 Implementation:

The Oregon Fraternal Order of Police has consistently pledged support for police reform measures during the 2020 special session and during the 2021 regular session. However, we must respectfully oppose the -4A amendment to HB 2929 A. HB 2929 A passed unanimously out of the House. Yet, this body is now considering a significant and dangerous expansion to public access for personnel records of Oregon's law enforcement community. The proposed amendment to HB 2929 A would allow the public to access frivolous, false, malicious and simply unfounded complaints against law enforcement officers. Public safety stakeholders worked in the House Judiciary committee on a consensus bill resulting in sweeping reform of law enforcement misconduct and reporting legislation. This consensus work resulted in a bill requiring public disclosure of all founded police misconduct records that result in economic discipline.

Oregon FOP believes that facts matter. The committee was presented with significantly flawed factual justifications for the -4 Amendments. We are compelled to correct the record. The 2018 fatal officer involved shooting of Mr. Sabbe in Sherwood, Oregon, was used to urge passage of the -4 Amendments and to globally encourage the legislature to continue dramatic police reform measures. No police officer wants to take the life of a citizen, but if those events are to be used to justify reform, then the actual events should be considered. The testimony today failed to

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mention that Mr. Sabbe was armed with an AR-15 assault rifle, that he fired that weapon at law enforcement before he was shot and killed, and that the entire episode was captured on a television news helicopter. I am attaching to my testimony a May 7, 2021, judicial opinion from the United States District Court for the District of Oregon with a detailed factual recitation and a legal ruling dismissing all federal claims regarding the use of force. We urge the legislature to enact laws based on accurate information rather than politicized emotion.

Another unfortunate series of events used to continually support police reform is the actions of the City of West Linn involving Michael Fessler. What the proponents of this story continually fail to mention is that three West Linn Police Officers went to the City Manager, the Oregon Department of Justice and the Clackamas County District Attorney regarding similar behavior of West Linn Officers in 2014. None of those institutions stepped in to bring accountability to a department long in need of it. I am attaching the original complaint against the Chief of West Linn and other officers issued on behalf of those Whistleblowers in 2014. Oregon FOP has used the events in West Linn to support police reform that includes non-sworn city management that hold law enforcement decision making, reforms to DPSST that will allow broader investigations of law enforcement department heads and oversight of the public risk pool involved in many of the personnel decisions occurring in Oregon law enforcement.

What is happening in law enforcement agencies across this state is startling. Good officers are leaving and going to other states, positions are staying unstaffed because good applicants are not applying, officers in all corners of this state are demoralized. Facts matter to us and we hope they do to the members of the legislature. We request this committee pause on the -4 Amendment. We implore you to study the effects this ongoing reform effort is having on rank and file officers. Members of FOP will come to your offices to share stories and back up the morale issues, the concerns over hiring and the future concerns over being able to police our streets. Finally, we ask, how does exposing every non-technical complaint against a police officer better the profession? There is a mandatory reporting requirement of all misconduct. The legislature is on the verge of significantly reducing the protection of arbitration for wrongful terminations. And finally, we do not have this requirement for teachers, judges, doctors, or many other positions requiring our utmost trust. Please give us an example where the -4 amendment, if already law, would have affected the rights of a citizen of this state.

Fraternally Yours,



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