



CITY OF PORTLAND, OREGON



Bureau of Police

Dan Saltzman, Police Commissioner
Rosanne M. Sizer, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000 • Fax: 503-823-0342

Integrity • Compassion • Accountability • Respect • Excellence • Service

MEMORANDUM (CONFIDENTIAL)

February 2, 2010

TO: Officer Christopher Humphreys #32784
Transit Police Division

SUBJECT: Discipline: Suspension without Pay
80 Hours
IAD #2006-B-0016

*Approved for 201 file:
SD 14 2/2/10*

You are hereby notified that your conduct, while employed with the Portland Police Bureau, has not met standards acceptable to the Bureau. The charge is a violation of Directive 1051.00 – Taser, Less Lethal Weapon System. Under the City's Human Resources Administrative Rule 5.1 (8), a violation of Bureau rules is cause for disciplinary action.

BACKGROUND

You have been employed with the Portland Police Bureau since February 4, 1999. In January 2002, you received command counseling in CRB Case #2002-077 and a Letter of Reprimand in CRB Case #02-078.

FACTS SUPPORTING PROPOSED ACTION

On September 17, 2006, other officers made contact with James Chasse. During this contact, Mr. Chasse fled, was chased, and eventually taken into custody. Mr. Chasse was struggling and even bit one officer. Eventually, the Taser was deployed, but it did not have an effect on Mr. Chasse who continued to fight and struggle.

At one point, Mr. Chasse lost consciousness. Medical assistance was requested. AMR personnel arrived along with Portland Fire Bureau employees. Rather than requiring AMR to transport Mr. Chasse, you transported him to jail. However, Mr. Chasse had mental health issues and both you and medical personnel believed he may have been under the influence of drugs (see e.g. *IAD Interview with Sgt. Michael Barkley*, December 11, 2007: Page 6, Lines 237-244 Page 8, Line 357. This is precisely the type of incident for which the transport requirements in 1051.00 were written. You said that you expected that AMR would transport Mr. Chasse and you should have made sure this happened. (*IAD Interview with Sgt. Michael Barkley*: December 11, 2007: Page 53, Lines 2327-2338, Page 58, Lines 2536-2545).

The post-Taser medical requirements in Directive 1051.00 are designed to protect both the subjects who have been tased and to protect officers from having a medical emergency arise in the back seat of their patrol cars. You should have recognized that Mr. Chasse exhibited conditions and behaviors that required medical transport. In addition, you had information that should have been communicated to medical personnel. You knew Mr. Chasse had been a prolonged struggle, had passed out or stopped breathing, and that he had been tased. These are important facts that should have been relayed to the paramedics. You had an additional opportunity to ensure appropriate medical care was given in this case when the jail refused to accept Mr. Chasse. (*IAD Interview with Sgt. Michael Barkley*: December 11, 2007: Page 80,

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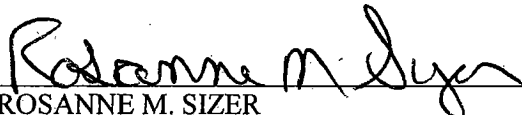
Police Information Line: 503-823-4636, TTY (for hearing and speech impaired): 503-823-4736 Website: <http://www.portland.gov>

Lines 3500-3508). It is not clear whether having an ambulance transport Mr. Chasse would have saved his life, but it is clear that you believed he would be transported were concerned about the fact that he was not and that you were transporting him to the hospital.

You were offered an opportunity to meet with me in person but you chose not to do so. I have considered the information Attorney Will Aitchison submitted on your behalf. I have determined that suspension in the amount of eighty (80) hours is the appropriate level of discipline in this matter. Any future conduct of this type on your part will result in more serious disciplinary action, up to and including discharge. A copy of this letter will be placed in your personnel file.

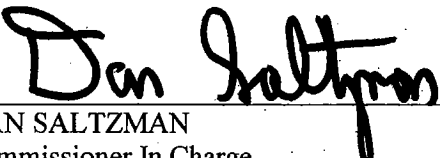
Under the provisions of the current labor agreement, you are entitled to file a grievance through your union, if you believe this action was not for just cause. A copy of this letter will be placed in your personnel file.

You are not being disciplined for political or religious reasons, but in good faith, and for the purpose of improving public service.




ROSANNE M. SIZER
Chief of Police

2/3/10
Date



DAN SALTZMAN
Commissioner In Charge

2/5/10
Date



OFFICER CHRISTOPHER HUMPHREYS #32784
I certify that I have read and received a copy of this notice.

2/23/10
Date/Time

- c: PPA President R. Scott Westerman
Director Yvonne Deckard - Bureau of Human Resources
Wayne Ferrell - Bureau of Human Resources
Steve Herron - Bureau of Human Resources
Police Bureau Personnel File (201)
Discipline File



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MEMORANDUM (CONFIDENTIAL)

February 2, 2010

TO: Sergeant Kyle Nice #26853
Central Precinct

SUBJECT: Discipline: Suspension without Pay
80 Hours
IAD #2006-B-0016

Approved for 201 file.
Sgt. J. [Signature] 4/12/10

You are hereby notified that your conduct, while employed with the Portland Police Bureau, has not met standards acceptable to the Bureau. The charge is a violation of Directive 1051.00 – Taser, Less Lethal Weapon System. Under the City's Human Resources Administrative Rule 5.1 (8), a violation of Bureau rules is cause for disciplinary action.

BACKGROUND

You have been employed with the Portland Police Bureau since March 12, 1992. You were promoted to the rank of Sergeant on October 23, 2003. You received Command Counseling for a vehicle collision in March of 1998.

FACTS SUPPORTING PROPOSED ACTION

On September 17, 2006, other officers made contact with James Chasse. During this contact, Mr. Chasse fled, was chased, and eventually taken into custody. Mr. Chasse was struggling and bit you. Eventually, the Taser was deployed, but it did not have an effect on Mr. Chasse who continued to fight and struggle.

At one point, Mr. Chasse lost consciousness and you requested medical assistance. AMR personnel arrived along with Portland Fire Bureau employees. Rather than requiring AMR to transport Mr. Chasse, you decided to take him to jail because AMR did not believe he needed to be transported to the hospital. However, Mr. Chasse had mental health issues and both you and medical personnel believed he may have been under the influence of drugs (*IAD Interview with Sgt. Michael Barkley*, November 14, 2007: Page 22, Lines 953-966 and 979-995; Pages 25-26, Lines 1117-1125). This is precisely the type of incident for which the transport requirements in 1051.00 were written. When AMR offered to transport Mr. Chasse, you should have ensured that they did.

The post-Taser medical requirements in Directive 1051.00 are designed to protect both the subjects who have been tased and to protect officers from having a medical emergency arise in the back seat of their patrol cars. As a supervisor, it was your responsibility to recognize that Mr. Chasse exhibited conditions and behaviors that required medical transport.

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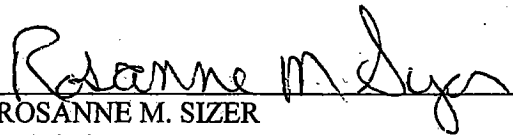
Police Information Line: 503-823-4636, TTY (for hearing and speech impaired): 503-823-4736 Website: <http://www.portlandpolicebureau.com>

In addition, you had information that should have been communicated to medical personnel. You knew Mr. Chasse had been a prolonged struggle, he passed out or stopped breathing, he had been tased, and you believed that Officer Humphreys had landed on Mr. Chasse. These are important facts that should have been relayed to the paramedics.

You were offered an opportunity to meet with me in person but you chose not to do so. I have considered the information Attorney Will Aitchison submitted on your behalf. I have determined that suspension in the amount of eighty (80) hours is the appropriate level of discipline in this matter. Any future conduct of this type on your part will result in more serious disciplinary action, up to and including discharge. A copy of this letter will be placed in your personnel file.

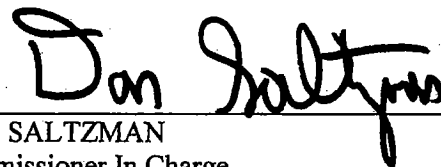
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You are not being disciplined for political or religious reasons, but in good faith, and for the purpose of improving public service.




ROSANNE M. SIZER
Chief of Police

2/3/10
Date



DAN SALTZMAN
Commissioner In Charge

2/5/10
Date



SERGEANT KYLE NICE #26853

4-6-10 1544
Date/Time

I certify that I have read and received a copy of this notice.

- c: PPA President R. Scott Westerman
Director Yvonne Deckard - Bureau of Human Resources
Wayne Ferrell - Bureau of Human Resources
Steve Herron - Bureau of Human Resources
Police Bureau Personnel File (201)
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