

Mental Health Alliance

Sent by email - April 19, 2021

District Attorney Schmidt,

The morning of April 16th, 2021, a Portland Police Officer shot and killed a man in Lents Park. Reports from multiple witnesses indicate that the man who was killed was likely experiencing a mental health crisis at the time of his death.

While little is publicly known about the incident at this point, what we do know is that public trust of the Portland Police Bureau's handling of mental health crisis is perhaps more damaged than it has ever been. Of note:

- Of the forty people killed by the Portland Police Bureau since 2003, at least twenty lived with mental illness. Not a single one of those cases resulted in criminal charges or even officer discipline.¹
- The United States Department of Justice recently issued its first-ever formal letter of noncompliance to the Portland Police Bureau for its failure to comply with its 2014 use-of-force settlement. The Bureau's failings include massive, undocumented use of force against protesters, and a lack of understanding in both the Bureau and its oversight mechanisms of the basic legal and constitutional standards for use of force.

The justice system relies on public trust to function, and at this time when that trust is hanging by a thread, it is more important than ever that the investigation into this most recent killing be fair and impartial.

For this reason, we are asking you to call upon the Oregon Department of Justice to investigate this shooting and determine if any charges should be filed. In the alternative, we also call on Oregon Governor Kate Brown to appoint a special prosecutor and independent police practices investigation team to present the facts of this case to a grand jury, pursuant to ORS 131.805.

While we are not questioning the skill or professionalism of the attorneys who work in your office, their daily work with the Portland Police Bureau on criminal cases puts them in a difficult position when those same police are the ones being investigated. It is crucial that we avoid even the appearance of a conflict of interest in this case.

In your platform, you called for ensuring accountability for police misconduct, stating that you would "ensure transparency and independent review of all cases involving law enforcement misconduct and violence." We are writing to hold you to that promise, and to support you in calling on the Oregon Department of Justice for a fair and independent investigation of this shooting. Thank you for your time, and please let us know what we can do to assist in this process.

¹ [Shots fired: Deadly Portland police encounters reveal troubling patterns - oregonlive.com](https://www.oregonlive.com/news/shots-fired-deadly-portland-police-encounters-reveal-troubling-patterns/)