

**Congress of the United States**  
Washington, DC 20515

November 23, 2020

William Barr  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

Dear Attorney General Barr,

We write concerning the City of Portland Police Bureau's lack of compliance with its August 29, 2014, settlement agreement with the U.S. Department of Justice. The purpose of the settlement was to address the pattern of use of force by the Portland Police Bureau (PPB) against individuals with actual or perceived mental illness and to put in place requirements for PPB to reduce use of force occurrences. We are concerned that aspects of this settlement are not being honored and that full, continued engagement from the U.S. Department of Justice to ensure that PPB is in full compliance, is lacking.

One key tenet of the settlement is that the Portland Police Bureau document, manage and respond to use of force and officers' conduct. With the recent protests in Portland, there is evidence of numerous incidents of use of force. However, there is no indication that these incidents are being regularly documented or investigated in accordance with the settlement.

The October 6, 2020, Compliance Officer and Community Liaison (COCL) Quarterly Report concludes that PPB is neither filing proper paperwork nor following up with the required full investigation and documentation of use of force incidents, putting the Bureau out of compliance with the settlement agreement. In addition, during testimony at trials related to use of force incidents at protests, Portland Police Bureau Administration officials have indicated a lack of proper protocol when documenting and investigating use of force incidents. For example, PPB is unable to produce After Action Reports to the COCL or complete full audits of protest-related use of force that occurred in June of this year.

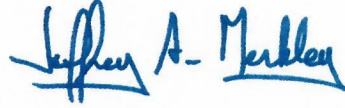
It is worth noting that the settlement does not explicitly distinguish between protest and non-protest use of force actions. Therefore, we believe the U.S. Department of Justice needs to closely review and properly track all use of force incidents in compliance with the settlement agreement, regardless of the circumstances under which use of force occurred. As the settlement process continues, it is imperative that all parties involved within the U.S. Department of Justice act swiftly and enforce settlement requirements.

We thank you for your attention to this matter. If you have any questions, please contact our offices.

Sincerely,



Ron Wyden  
United States Senator



Jeffrey A. Merkley  
United States Senator



Earl Blumenauer  
Member of Congress

CC: Ted Wheeler, Mayor, City of Portland