

May 5, 2004

The Honorable Mayor Vera Katz
City of Portland
1220 SW 4th Avenue
Portland, Oregon 97204

Chief Derrick Foxworth
Portland Police Bureau
1111 SW 2nd Avenue, Room 1526
Portland, Oregon 97204

The Perez Family
c/o Elden Rosenthal
Rosenthal & Greene PC
1001 SW 5th Avenue, Suite 1907
Portland, Oregon 97204

Dear Mayor Katz, Chief Foxworth and the Perez family through their attorney Elden Rosenthal:

As members of a randomly selected inquest jury, we differ in gender, ethnicity, and age. After hearing from nearly forty witnesses under oath, we write as one to state our observations about the death of James Jahar Perez.

We do express our deepest sympathy both to the Perez family and to the two police officers involved in this tragedy. The Perez family lost a loved one and has many unanswered questions. The officers did not come to their shift that night expecting this would happen. Now they must deal with psychological problems that can drive officers in their situation from the profession they intended to make a lifelong career. We hope the City of Portland will ensure that the Perez family and the officers receive any help they may need to withstand the emotional toll they have suffered.

As to public policy, we realize we have no special expertise for drawing conclusions. Nevertheless, although our verdict was limited to four narrow questions and based upon the facts presented to us, we wanted to offer some broader thoughts and observations in the hope that this regrettable incident may result in positive change.

It seems to us, from the detailed information we received about the events that led to Mr. Perez's death and from the general knowledge we have of the circumstances of the shooting of Ms. Kendra James last year, that the Portland Police Bureau needs to make a fundamental re-examination of its tactics and training for officers in traffic stops of uncooperative motorists—particularly those suspected of drug involvement. While again noting our lack of specialized knowledge, we can only wonder what the end result would have been if tactics and training called for the officers to back off and radio for support when Mr. Perez chose to clearly affirm his lack of cooperation by putting up his tinted window. While not wishing to engage in second-guessing, we firmly feel the need for the best minds to re-examine existing policy and the implementation of policy through training.

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We were concerned about the police officers' ability to articulate racially neutral reasons for traffic stops like this one. We think the officers in this case suspected that illegal drug activity was afoot. This suspicion was ultimately confirmed. Yet, they seemed surprisingly unable to directly state that suspicion. There is an understandable tension between a community's need for aggressive law enforcement—using technical traffic violations as a tool when necessary to ferret out suspected criminal activity—and the need for law-abiding members of a community to know they are not being targeted for improper reasons. We understand from you, Chief Foxworth, that the Portland Police Bureau has a process to examine these kinds of traffic stops for racial neutrality. We further understand there are active recruitment measures to draw officers from a full spectrum of Portland citizens. We urge that these efforts and the results be shared with the public. We also urge that consideration be given to having an independently elected police commissioner.

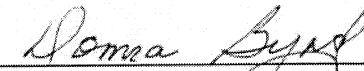
We learned a great deal about the risk police officers face and the training these men and women receive. The public at large should be similarly informed so that citizens may better understand the dynamics of policing a community made up of all kinds of people. We encourage the Portland Police Bureau to follow up with experts, such as the ones we heard, to test the effects of cultural differences on the reactions of both police officers and suspects in real life situations to determine if other kinds of training are necessary. We also endorse Chief Foxworth's planned expansion of taser availability and training.

In closing, we have learned much from our service on the inquest jury. We hope the Portland Police Bureau and the community will benefit as we have.

Sincerely,



Shonnet Brand



Donna Byrd



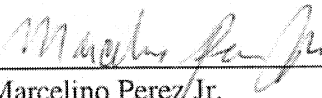
Samuel Hand



Sarah Jensen



Arsenio Medrano



Marcelino Perez Jr.