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MEMORANDUM

To: Kirsten Snowden
From: Adam Gibbs
Date: September 1, 2021
Subject: Follow-up on Echelon Security Credibility Concerns

In an October 16, 2020 memo I documented multiple instances of concerning or inappropriate behavior by Echelon Security employees that had caused cases to be dismissed and their credibility or forthrightness to be questioned. This is an update to that memo based on another incident in February, and my decision to continue requiring heightened corroboration, and my approval, before prosecuting any case involving Echelon Security officers as witnesses.

INCIDENT

A. February 6, 2021 – SW 12th Ave/SW Taylor

Concern: Echelon Security employees tore up a camp site that was on public property, were partially video recorded by neighbors, and drafted reports that were clearly inconsistent with what had actually happened. Although the case is not prosecutable, as noted below, the responding police officer's report notes that she has probable cause for criminal mischief and disorderly conduct based on the conduct of the security officers.

In the early morning hours of February 6, 2021 police responded to a call for service of individuals dressed in tactical gear tearing up a transient camp while yelling and swearing. He stated the subjects then drove off in a black car. Sgt Jacobsen reviewed the video and indicates that it shows one security guard knock down items that had been on the curb line of SW Taylor and throw them into the street and then attempt to rip down a tent and pull the tarp off of it.

Sgt Jacobsen spoke with residents of the camp site who describe being woken up by someone yelling "Get up, Clear the area!" and seeing about four men in body armor with weapons. He describes the group as pulling tents into the street and tossing items around.

A resident of a nearby building "several" uniformed individuals came and appeared to be trying to "terrorize" the homeless and destroy the camp. A different resident described men in tactical gear and one of them banging two metal pipes together and yelling "wake up, its time to wake up everyone needs to get the fuck up" over and over again. This witness does not appear to have observed any attempts to tear down tents or shove materials into the street.

Sgt Jacobsen was able to obtain security reports prepared by Echelon Security covering this incident, written by Wayne Yu, which reads:

Earlier in the patrol day, a transient living in a tent provided by Echelon Protection told me that the trash next to his tent did not belong to him. I asked him if I could move it to the street and he agreed.

On the patrol at the listed time, I could see additional trash I did not move earlier. I cleaned up the area as best as I could.

There was additional trash by the tents on Taylor St. I asked if the trash belonged to anyone. I moved all unclaimed items to the street for pickup by Portland.

No occupied tents were disturbed. No contact with any transients was made.

At around 0410 I departed the area.

Echelon Security's management were not cooperative with providing these materials or contact information for the involved employees. Our office assisted by obtaining a grand jury subpoena for these documents.

Sgt Jacobsen was then able to interview Echelon employees Tim Kim and Wayne Yu. Kim told him that he was new and was "tagging along" during Yu's patrol. Kim says that they put some trash into the street, but that he "doesn't remember" if he tossed a particular field kitchen into the street or not.

Yu confirmed that the report quoted above was his and that should have read "12th and Taylor" not "10th." He said that they provide security for the parking lot in the area. He admitted to throwing trash in the street, but insisted it was material that had previously been identified by camp residents as trash. Yu was unable or unwilling to identify either person in the video and said "I'm not going to go into detail" when asked if he'd thrown tents into the street.

ANALYSIS / ACTION TAKEN

It is clear from the investigation that Echelon employees behaved in an unprofessional manner and that their reports from this instance do not accurately reflect the nature of the contact that they had with the campsite at SW 12th and Taylor. Given the lack of ability to concretely identify which security officer did which actions it is not possible to prove a criminal offense against either one of them beyond a reasonable doubt.

However, as noted in my October Memo I continue to have credibility concerns about Echelon Security reports. In particular, the employees involved in this case are completely different from the employees involved in the prior incidents, which indicates that this cannot just be written off as attributed only to a one particular bad actor.

I will continue to put a hold on issuing any Echelon-involved cases and will not approve any case of theirs to be issued unless either their employee's testimony is not needed to prove a case or there is substantial corroborating evidence that can independently assure the accuracy of their statements.