

## Rose City Antifascists Statement on Portland Police Captain Mark Kruger



“I would not have promoted Mark to captain if I felt at any time the allegations were true. I supported him then and I support him now.”

—Rosie Sizer, Portland Police Chief June 2006–May 2010, email of October 14, 2009

In news reported by *The Oregonian* early last month, Portland’s Police Review board has criticized a cop in unusually strong language, stating that Captain Mark Kruger brought “discredit and disgrace upon the Bureau and the City” by erecting plaques to his Third Reich military heroes in a city park a decade ago. The statement followed an Internal Affairs investigation, which was itself prompted by a complaint to Independent Police Review Division (IPRD) as well as by demands from City Commissioner Dan Saltzman.

### Summary of Events

At some point between 1999 and 2001, Mark Kruger had placed memorial plaques to five Nazi soldiers on a tree in Rocky Butte Park, which Kruger had named the “Ehrenbaum” or “Honor Tree.” This fact had first surfaced in 2003 during litigation against the City involving Kruger’s brutality against anti-war protesters. At that time, it was also alleged that a young Kruger had rode around Portland with two friends while “listening to Hitler’s speeches and yelling racist and homophobic comments to people who were on the sidewalk,” and that Kruger had a large collection of Nazi artifacts and uniforms, some of which he used in WWII reenactments. It was later revealed that Kruger had married his now ex-wife near Hitler’s Berghof, where Hitler had spent much of his time during WWII, although Kruger has claimed that he chose the location due to scenic beauty.)

Kruger's two friends from the Hitler-speech rides—events denied by Kruger—have now renounced this common racist past and have tried to hold Kruger accountable for his actions. Robert Williams contacted attorney Alan Graf—working on the suit against the City at the time—and first told the lawyer about Kruger's fascination with Nazism. The other person from those rides with Kruger, Bob Seaver, has stated that he attended the Portland civil trial brought against Tom and John Metzger of White Aryan Resistance following the 1988 beating death of Ethiopian immigrant Mulugeta Seraw by white supremacists, Seaver initially having sympathy for the neo-Nazi leaders facing this civil suit. Seaver is now the person who made the 2009 IPRD complaint regarding Kruger, partially responsible for the “discredit and disgrace” finding.

Despite the first round of revelations regarding Mark Kruger—which came to light in 2003 and early the following year as information from Williams, Seaver and the ongoing civil suit against the City was reported—Kruger was promoted to the rank of Lieutenant in 2004. The City settled its civil suit involving Kruger within the year, paying out \$300,000 plus attorney fees and costs.

When, in the middle of 2009, Kruger was once again promoted within the Portland Police Bureau, and became a Captain at Central Precinct, a new round of controversy began. (Kruger was transferred to East Precinct approximately a year later.) Following the promotion, Bob Seaver created a Youtube video about Kruger, which was pulled from the site following Kruger's complaints. Seaver then complained to the Independent Police Review Division. The story was covered by James Pitkin of the *Willamette Week* (the same journalist who wrote a lengthy, misleading, and unethical piece about our organization.) Rosie Sizer, at the time the Police Chief, circulated an email to the entire Portland Police Bureau stating her full support for Kruger following this media attention.

In her October 8, 2010 story about the new Police Review criticism of Kruger, *The Oregonian's* Maxine Bernstein broke the news that not only was Kruger finally being criticized, but also that the City Attorney's Office had been holding Kruger's memorial plaques since the issue of their existence was first raised in the civil suit against the City. Kruger had visited the site where he had installed them, and then handed them over to the City Attorney's Office, who then failed to disclose them despite a discovery request for items pertaining to the case during litigation.

### **Kruger's Military Heroes**

Bernstein's article provides the names of two of the five Nazi soldiers memorialized by Kruger—Michael Wittman and Harald von Hirschfeld. Wittman was a Captain in the Waffen SS, which officially remained under the NSDAP (Nazi Party) rather than the German armed forces during WWII (although operational command existed.) The Waffen-SS was condemned as a criminal organization during the Nuremberg trials, due to its extensive participation in war crimes.

Von Hirschfeld was a Wehrmacht leader who was killed in battle in early 1945, and thus never stood trial for war crimes. Von Hirschfeld commanded the German troops who massacred thousands of Italian troops on the island of Cephalonia off Greece, following the Italian armistice of September 1943.

Kruger has time and again insisted that he is merely a “history geek” who is not actually sympathetic to Nazism. Any “history geek” would know the history of the Waffen-SS, as well as Von Hirschfeld's involvement in a war crime massacre of prisoners. There is no logical explanation for Mark Kruger's actions, other than that he admires, lionizes, and honors murderers.

## **Police, Fascism, and Antifascism**

Rose City Antifascists have for a long time refrained from commenting on the Kruger situation. Until recently, there have been no substantive new allegations around Kruger's Nazi sympathies, and recycling old news seemed redundant. With the new information regarding the City Attorney's Office holding on to Kruger's memorial plaques, the situation has changed. While we still do not have documentation of any current involvement by Kruger with Portland's neo-Nazi formations, we feel that the new information calls for a response. We also hope to use this opportunity to clarify our position regarding the police and law enforcement.

The investigation of Kruger involved belated efforts from both an establishment political figure—Commissioner Saltzman, who also oversaw the Police Bureau until a May 2010 power shuffle—as well as from within the Portland Police Bureau itself via the Internal Affairs investigation. We do not believe that the Portland Police Bureau or the City of Portland in general is Nazi or fascist. The Police Review statement castigating Captain Mark Kruger is, however, the exception rather than the rule. The release of such a statement ultimately speaks to political pressures within both the City bureaucracy and the Police Bureau. Saltzman's demand for an investigation, for example, took place while he was engrossed in the long-running aftermath of James Chasse's 2006 death in Police custody. (Chasse, a schizophrenic man, had been beaten and Taser-ed multiple times by the cops, leading to his death. Mayor Sam Adams replaced Rosie Sizer with Mike Reese as Police Chief the day after the City settled the Chasse family's lawsuit for \$1.6 million, and Saltzman had his role overseeing the Police Bureau removed, although these changes were nominally about other issues.) Some minimal efforts are occasionally made to limit the damage of the most blatant police conduct, not simply to avoid lawsuits, but to avoid a situation where confidence in the police is further undermined and policing itself becomes increasingly difficult.

We believe that Kruger's history while wearing a police badge—such as his animus and violence towards protesters—is more representative of policing in general, than is Kruger's activity in a Nazi uniform. Kruger's Nazi-sympathizing actions have finally been criticized, because there is a belated effort to set them apart from the police force as a whole. What interests our group is the length of time for which all of Portland's institutional forces closed ranks in defense of Kruger (over half a decade before dissent was heard), Kruger's defense by various Police Chiefs after allegations surfaced, the City Attorney's Office hiding of Kruger's memorial plaques, and Kruger's promotion up the Police Bureau ranks while his past and proclivities were well-known. While we are interested in seeing how this situation develops, we are not holding our breath for Kruger to face meaningful consequences for his actions. The Portland Police Association—the cop union—has held up former Police Chief Sizer's 2009 defense of Mark Kruger as “the type of response we should get from the Chief” whenever poor behavior by the cops is alleged.

Kruger has history of praise and loyalty from other cops, not because all cops are Nazis, but because a Nazi-sympathizer is perfectly capable of being a good cop.

Policing in general is not an impartial practice, but a method of social control, and this control runs along class and racial lines as well as gender, sexual identity, and so forth. While policing is often rationalized as “keeping people safe,” brutality, abuse and even killings are not aberrant, but are structurally part of the system of policing. Not everyone is protected by the police; in the final analysis, the cops tend towards protecting the status quo. Those on the other side of the American Dream experience policing differently. Modern policing in America traces back to—amongst other influences—the slave patrol system, and has changed as racial and class power have shifted and reconstructed themselves. Of particular note is the boom in mass incarceration—disproportionately affecting people of color and the

poor—which followed from political attempts to roll back the gains of the 1960s, especially all that flowered from the Civil Rights movement. Policing and incarceration are at present intimately linked.

While American discourse around race looks rather different now than it did 50, 100, or 150 years ago—and the symbolic value of a Black president should not be overlooked in terms of how race appears—racism still very clearly exists, not merely as the bad ideas of a small number of bigots, but as a political force and embedded within our institutions. We believe that Kruger’s presence in the police force is easily explained: for those dazzled with authority, crisp uniforms, and hierarchical violence, the police department is a pretty good place to get a job with advancement opportunities.

The state, however, also has its own brand of anti-extremism, albeit one that in the Kruger situation has been quite late in surfacing. The current situation also appears to be inspiring talk and then second thoughts within the state-friendly Coalition Against Hate Crimes, a group that “connects local, state and federal law enforcement agencies with civil rights groups in Oregon to work to prevent bias crimes and properly respond to hate activity and criminality.” CAHC issued a statement surrounding the most recent revelations surrounding Mark Kruger, which was then pulled from their website and Facebook page days later.

Government anti-extremism has several motivations. One of the clearest is the simple preservation of business-as-usual. As much as America’s current identity as a multiracial democracy is uncertain and contested by its opponents—and as much as racism may be embedded in our society—some displays of white supremacy still go too far. Relationships between ideologically white supremacist and ultra-Right groups, and the American establishment, are also not what they used to be. Since the Civil Rights movement, those whose politics are fundamentally based on white supremacy have felt themselves to be part of an increasingly dispossessed white population. (While we disagree with the analysis, the ideology is motivating for those who uphold it.) White supremacist and fascistic groups have an independent character—at some points trying to make their politics more mainstream and politically influential through appeals to ideas that already exist within the body politic, at other times taking insurgent stances including those of organized guerilla warfare. The state genuinely does not like events such as the Oklahoma City bombing; it will repress those who engage in such activity, and it will monitor movements which could birth similar outrages. Yet state anti-extremism, when directed at the far-Right, can only go so far. The neo-Nazis currently engaged in vigilante border activities in Arizona may be monitored, but they also have also obtained a certain amount of political space for their activity, because they are linked to racist forces allowed within government and mainstream political discourse.

A comparable situation exists with Kruger. He has been protected for so long, because he is an effective cop, and to challenge him is to therefore place aspects of policing into question. As autonomous antifascists, we believe that Kruger’s actions should not be looked at in isolation, and that his continued relationship with the police force links to a police culture of racism, even if certain institutional forces now criticize him. White supremacist, fascist and neo-Nazi movements do not appear from out of nowhere, but are born from ideology and political practice within our culture as a whole. Our recognition of this reality places us firmly on the side of those who resist mainstream and institutional racism—including the strongly disproportionate number of people of color targeted and killed by police—even while we treat fascist movements as autonomous political actors. Our analysis and actions stem from a desire to overcome the deeply engrained divisions and structural oppressions within dominant culture. We understand that there are others who want a more authoritarian, elitist, racist, and gendered society than we currently have—including the fascist movements that we focus on opposing. As for Mark Kruger, he can go to hell, along with all his cronies.

*-Rose City Antifascists, November 13, 2010*

## APPENDIX

*Statement published to rosecityantifa.org following the announcement of discipline against Kruger.*

November 18, 2010

### **Police Captain Mark Kruger Update: 80 Hours Unpaid Leave for Nazi Memorial**

On the same day as Portland Police Chief Mike Reese and Mayor Sam Adams announced that Officer Ron Frashour would be dismissed from the Portland Police for shooting and killing an unarmed Black man this January, news also broke of minor discipline against Portland Police Captain Mark Kruger. As Maxine Bernstein of *The Oregonian* reported this Tuesday, November 16, Police Chief Mike Reese placed Kruger on 80 hours unpaid leave, required him to take a “Tools for Tolerance” training, and tied him to an unspecified “mentorship arrangement” lasting from between half a year to two years. This internal discipline is related to Kruger’s placing of a memorial to five WWII German soldiers in Rocky Butte Park approximately a decade ago. Rose City Antifascists recently released a statement about Kruger, the accusations of Nazi sympathy that have been swirling around him since 2003, and the complicity of the City Attorney’s Office and previous Police Chiefs in covering for Kruger.

In our statement on Mark Kruger published November 13—before news of Kruger’s discipline was released to the public—we argued: “While we are interested in seeing how this situation develops, we are not holding our breath for Kruger to face meaningful consequences for his actions.” While we do not consider that Kruger’s brief unpaid leave is substantial discipline for his Nazi hero-worship, institutional forces did move quicker than we expected, in fact before we even published our analysis. Furthermore, we suggested that the Portland Police Association (PPA) would leap to Kruger’s defense. While it is possible that there will be words from the PPA on this issue, Kruger has in fact waived his right to arbitration regarding the imposed discipline, probably because it is little more than a slap on the wrist. The PPA has instead focused its outrage on the dismissal of Ron Frashour and the discipline of three other police regarding the killing of Aaron Campbell earlier this year: “Today we can say that the rank and file of the Portland Police Bureau have lost faith in their leaders.” Inasmuch as our analysis differed from the actual turn of events, this seems due to an underestimation of the current crisis of policing in Portland, which has proved deep enough to lead to some surprises. (This crisis is not just within the corridors in power, but is also a factor of pressure brought on the City—highly visible and politically embarrassing responses from Black community organizations plus allies following the Campbell killing, efforts such as the Fire Frashour campaign, and even street disturbances such as the near-riot that followed the Police killing of Jack Dale Collins in March, as well as subsequent anarchist sabotage.) Given that Kruger was neither demoted nor fired, our analysis was nevertheless not too far from the mark.

On November 16, Mark Kruger also issued a public letter of apology, stating yet again that his interest was purely “in military history,” that he has no “admiration for Nazism,” and that his actions were subject to “misperception”—all claims that significantly stretch the bounds of believability. The November 12 memorandum confirming Kruger’s discipline—also made public on Tuesday—provides further information about the German soldiers memorialized by Kruger. As well the already-known names of Waffen SS member Michael Wittman, and Wehrmacht leader Harald von Hirschfeld (involved in a massacre of thousands of prisoners) the names of the three other German soldiers on Kruger’s plaques are now also public information. These names are Erich Bärenfänger, a Wehrmacht officer who took part in the Battle of Berlin and who was briefly Hitler’s deputy; Wolfgang Luth, who destroyed dozens of vessels as a U-Boat commander; and Walter Nowotny, at one time the Luftwaffe’s greatest

killer. Kruger's apology letter absurdly claims that he did not know that Hirschfeld was involved in war crimes, because there were not "the internet's research tools of today" a decade ago. Within this letter, Kruger does not discuss Wittman's membership in the SS. Now that Bärenfänger's name has been released, we know that another of those memorialized by Kruger was part of the NSDAP (Nazi Party) machinery. Bärenfänger joined the SA ("Sturmabteilung" or "Stormtroopers" in English, popularly referred to as the "brownshirts") in 1933. The SA was at one point the primary paramilitary force of the Nazi Party, although it was eclipsed in this role by the SS following the "Night of the Long Knives" of 1934. Bärenfänger was therefore another ideologically committed Nazi honored by Kruger.

Materials from the Police internal investigation on Mark Kruger's activity have not been released to the public.