

The Oregonian

African American business leaders: NE Portland Natural Grocers deal is good step, but what's next?

*By Andrew Theen
August 29, 2014*

Shortly before announcing that the city had landed a tenant for a long vacant Northeast Portland property, Mayor Charlie Hales gathered a small group of community members in City Hall's Rose Room to share the news.

The reaction to the Natural Grocers deal from some in the room: mixed emotions.

"It's going to be better than nothing," said James Posey, a Northeast Portland business owner and chair of the economic development committee for the Coalition of Black Men.

An earlier plan announced in November would have brought Trader Joe's to the site, but the grocer pulled out in February citing "negative reactions" in the community.

The leader of the Portland African American Leadership Forum, the most vocal critic of how the city handled the Trader Joe's deal, declined to comment on the news involving Colorado-based Natural Grocers, Majestic Realty Co. and the city.

Muhamed Yousuf, the owner of the Horn of Africa restaurant in the adjacent Vanport Square plaza, said he was thrilled by the news. Yousuf and his neighboring business owners have clamored for a nearby anchor tenant for years to bring foot traffic to their building. "It's wonderful," he added.

The reaction from some who attended Thursday's City Hall meeting, meanwhile, wasn't about the Trader Joe's controversy, which divided business leaders and residents both white and black. It wasn't about past assertions that Portland participated in decades of policies that contributed to displacement of thousands of African Americans. No one raised concerns that Natural Grocers would be a bad fit.

The real question for Hales from some who attended Thursday's preview was, "Great. What else are you doing?"

Hales' office noted his commitment to adding \$20 million in affordable housing projects in North and Northeast Portland during the next five years, a concern that arose from critics who wanted housing included in the Trader Joe's development.

But both Posey and John Washington, the head of the North/Northeast Business Association said the city continues to lack a comprehensive plan for addressing inequities affecting the black community, both systemic and economic in nature.

"It's not about just affordable housing," Washington said.

"At the end of the day there's no comprehensive plan to move forward," Posey said.

Both Posey and Washington said they want to see more from Hales and the city: more big-thinking, more economic development projects in North and Northeast Portland, more jobs, more conscious and comprehensive planning. "At the end of the day, it's just a start," Posey said.

Yet Posey and Washington also said Hales showed some moxie, stick-to-itiveness and a good sense of whom to gather in a room for important conversations. They say Hales deserves some credit for ensuring an anchor grocery tenant and development of a handful of retailers in a 1.79-acre slice of land on Northeast Alberta Street and Northeast Martin Luther King Jr. Boulevard.

"This guy seems to be in it for the long haul," Washington said.

Summit recalled

In March, a month after Trader Joe's pulled out, Hales summoned a group of 50 business owners and advocates from the neighborhood to City Hall to talk.

According to participants, Hales pledged to fight for Trader Joe's to return to the bargaining table, and promised to spend the additional \$20 million in the Interstate Urban Renewal Area on affordable housing during the next five years.

That meeting came as the dust continued to settle from an occasionally heated conversation about gentrification.

In his second state of the city speech later the same month, Hales said he wanted Portland to have the best Martin Luther King Jr. Boulevard in the nation.

Despite Hales asking for a meeting in Southern California to woo Trader Joe's back, and letters and petitions of support from all segments of Portland society, Trader Joe's wasn't having it and formally rebuffed the city in April.

In May, PDC officials and Hales said they weren't giving up the fight, and said they'd work on the project for another 90 days.

Thursday's gathering at City Hall included essentially the same group from Hales' March summit: people like Posey, Washington, PAALF members, former State Sen. Avel Gordly, NAACP and Urban League leaders and others.

There was apprehension from some as Hales prepared to speak about progress on finding an anchor tenant to make the development come together.

"I thought they were going to say, 'The time is up. We didn't get it,'" Washington said.

But this time, Hales had good news to report: Natural Grocers was the new choice for Majestic and the rest of the deal remained the same, including the selection of local minority contractor Colas Construction to lead the construction effort.

Dana Haynes, Hales' spokesman, said the tone Thursday's gathering was "convivial." But some people in the room, Haynes said, "really want to hold our feet to the fire."

Matthew Robinson, a policy assistant in Hales' office, said the meeting was positive, and people seemed pleased that Hales stuck to his word.

"People were very, very receptive of the project," Robinson said of Natural Grocers.

'Consolation prize'?

Posey said he personally views Natural Grocers as a "consolation prize," arguing that Trader Joe's was a more premier business with lower prices.

But he said keeping African American-owned Colas Construction involved is a success, "because it didn't have to be that way."

Washington said he lost respect for Trader Joe's because of how the company handled the controversy in Portland.

The company, Washington said, missed an opportunity to be a positive factor in the neighborhood and join an important conversation. Instead, he said, the chain backed out "to protect their brand."

The Portland Housing Bureau will host four public meetings in September to discuss how to best spend the \$20 million additional dollars.

Posey said neither long-time nonprofit advocates in the black community nor the city's development commission understand the underlying factors at play. It's about jobs and economic development and having a balanced approach to lifting all facets of the community.

"People don't really need housing, they need the ability to pay for housing," Posey said. "They don't get that."

The Natural Grocers could break ground early in 2015.

Portland parks proponents raising money for \$68 million November bond campaign: Portland City Hall Roundup

*By Brad Schmidt
August 29, 2014*

Proponents of Portland's \$68 million parks improvement plan are now raising money for the ballot measure in advance of the November election.

A new political committee called "Fix Our Parks" has reported contributions of \$17,365 in the past month.

The group secured individual donations of \$2,500 from Columbia Sportswear, former police chief Rosie Sizer, city Commissioner Nick Fish's political campaign, Home Forward commissioner Harriet Cormack and investment manager Steve Holwerda, who is on the board for Pioneer Courthouse Square.

Also of note: \$1,000 from developer Jim Winkler and \$500 from Sue Keil, the former Portland Bureau of Transportation director who briefly served as interim director of Portland Parks & Recreation a few years back.

If approved by voters on Nov. 4, the parks bond would extend for 20 years a property tax first authorized by voters in 1994.

At about 9 cents per \$1,000 of assessed property value, first-year costs would hit about \$13 for a \$150,000 home or about \$17 for a \$200,000 home.

The parks bond would pay for improvements at 10 to 20 playgrounds, upgrade three swimming pools, improve several trails and bridges, and provide up to \$10 million to repair Pioneer Courthouse Square and up to \$10 million to renovate or replace two aging facilities where parks employees work.

Voters have approved two of the past three parks money measures, with overwhelming support for 1994 and 2002 efforts. A 1998 parks levy narrowly failed.

Portland Japanese Garden's expansion plan moving ahead, with some neighbors satisfied and others not

*By Rebecca Koffman
August 29, 2014*

A proposed expansion of the Portland Japanese Garden is moving forward after garden officials resolved one challenge from neighbors and prevailed against another.

Neighbor Hilary Mackenzie and the Arlington Heights Neighborhood Association had filed separate appeals of a city hearings officer's decision to green-light the project.

But Joe Angel, a board member of the neighborhood association, formally withdrew the group's appeal just as the Portland City Council convened to hear it on Thursday.

Commissioners then considered Mackenzie's appeal. They sided with the hearings officer, casting a "tentative" but unanimous vote to approve land use and environmental reviews done on the development.

Lost trail?

Plans call for the 9.1-acre garden to grow by more than 3 acres and to add several new facilities, including a cultural center containing classroom space, a gallery and a gift store, a garden house, a tea café and a ticketing pavilion.

When first notified of the garden's plans earlier this year, neighbors had many objections over: traffic and parking; pedestrian safety; closure of one link to the Wildwood Trail; the scale and environmental impact of the new buildings; and worries about construction activities, including truck routes, noise, working hours and site security.

Angel said that a recent series of meetings between Arlington Heights Neighborhood Association and garden staff had allayed many of neighbors concerns about livability and safety issues. He said the two sides had come to an agreement on ways to proceed.

Mackenzie, the remaining appellant, remained unsatisfied. She and people who testified in support of her position, including William Newman, speaking for the Sylvan Highlands Neighborhood Association, said they had broader concerns about the uses of public land.

They contended that the Japanese Garden, a private entity, would gain 3 acres of public land, close a widely used trail link and erect buildings on land designated as open space. The opponents said all of these plans were created with a lack of transparency and an inadequate notification process.

Mackenzie argued that the Japanese Garden and city staff had used inappropriate definitions of "site" and "ownership" to determine who should be notified of the garden's plans. She said that written notification had gone out to only 80 households immediately contiguous to the 12-acre garden, a leasehold within Washington Park that is owned by Portland Parks & Recreation. She argued that the whole of Washington Park, owned by the city, should be considered the 'site.' This would have triggered broader notification requirements.

Surely, said Mackenzie, when making this kind of decision about public land, you "have to tell the people it's going to matter to." She said that should include people who use the trail link that connects the Japanese Garden to the Wildwood Trail.

City and garden staff testified that the hearings officer who approved the garden's land use reviews had correctly interpreted land use law.

They argued that the "informal cut-through" between the garden and the Wildwood Trail was not an official segment of the Wildwood Trail.

Nonetheless, the officials said they would try to address users' concerns. They said the garden would work with Portland Parks & Recreation to build an alternative link to the Wildwood Trail at the other side of the garden before the current access is closed off.

Garden supporters weigh in

In addition to those speaking against the expansion, the City Council chamber at Thursday's hearing was packed with garden supporters wearing large red buttons.

They argued that the garden, with its 600 volunteers and 300,000 annual visitors is a beloved local and national asset that needs more space and facilities to accommodate growing numbers of visitors.

When commissioners voted to tentatively uphold the decision allowing the expansion to proceed, Mayor Charlie Hales said he felt satisfied the council was technically and legally correct in its position while managing public land respectfully and being good stewards of place.

The decision on the expansion plan will be finalized in mid-September, after the addition of some amendments.

These will include a change in wording about a 200-square-foot stretch of sidewalk that the Japanese Garden must build on the west side of Southwest Kingston Avenue.

Portland street fee discussion makes positive shift: Editorial Agenda 2014

*By The Oregonian Editorial Board
September 01, 2014*

The fantasy-land street fee Portland Mayor Charlie Hales and Commissioner Steve Novick tried to foist on businesses and homeowners earlier this year may have collapsed, but the process that emerged from the rubble pile of fairy wings and unicorn horns has brought the discussion squarely into the real world. It's even beginning to sound – dare we say it? – reasonable.

Among the problems with the Hales/Novick plan was its indifference to the wishes of taxpayers, who would have had no say unless the fee, intended to collect upward of \$50 million per year, were forced to the ballot. The mayor and commissioner explained their preference for bypassing the public by arguing that they're elected to make tough decisions, which is true, and that the city's roads desperately need additional maintenance to make up for years of neglect, which is also true. Of course, voters know that the city's roads stink, which is why they might be inclined to support a modest and carefully constructed fee or tax to fix them.

Voters also know that the City Council's spending decisions during the recent past contributed to the street-maintenance problem, as described by a pair of scathing city audits released last year. Even before Hales and Novick made matters worse with their attempted rush job, the city suffered from a lack of credibility on the matter. That's why the council should ask the public to approve any fee or tax for roads rather than acting on its own.

Credit city officials, then, for convening citizen and business work groups in a process that's moving steadily in the right direction. Prior to the Aug. 25 meeting of the business work group, city staff proposed a funding option that would at least entertain the possibility of a public vote at some point. It called for the creation of a pair of three-year project lists, giving taxpayers a clear picture of what their cash would be buying. While fees would be imposed by the city rather than approved by public vote, an oversight committee would decide at three years (and again at six years) whether to continue the program, scrap it or send it to voters.

Business representatives quickly poked holes in this proposal, as reported by The Oregonian's Andrew Theen. The oversight committee would never be obligated to involve voters or to kill the program. It could merely rubber-stamp an extension every three years. It could be expected to do just that, in fact, as its members would be appointed by the City Council. As an accountability measure, this proposal left a lot to be desired.

But by poking holes in the proposal, the committee improved it. By the end of the meeting, there was general support for an option with a firm sunset date and, inevitably, voter involvement, says city Chief Administrative Officer Fred Miller. Council would impose fees for six years, at which point an oversight committee would have two options: Kill the program or refer it to voters. It would be better for the city to involve voters from the beginning, but this option at least ensures that they'd be involved at some point – assuming the city wanted to continue the fee. This looming vote would create pressure to spend responsibly.

The street maintenance tax is a work in progress, and some basic elements are still question marks – including who's going to pay how much and by what mechanism. Meanwhile, advisory committees are just that – advisory. The City Council ultimately will decide what to do. Still, the fact city staff and committee members are now talking about a meaningful public vote suggests that the process might produce a maintenance-funding mechanism that deserves Portlanders' support.

Of course, the timing of the public vote does raise one question: If it's reasonable to place a street fee before voters after six years, why isn't it reasonable to ask their permission right at the beginning?

The Portland Tribune

Hales hands demolition fix to Fritz

*By Jim Redden
September 2, 2014*

Mayor Charlie Hales has reversed course and now says Commissioner Amanda Fritz is taking the lead on the home demolition issue.

The switch, relayed by Hales' spokesman Dana Haynes, comes after Hales told the Portland Tribune that his staff was working on the issue and that he would be making a proposal to preserve historic homes in "weeks, not months."

The reversal also comes as neighborhood representatives have scheduled a meeting to discuss presenting their own proposal to the City Council to slow the demolition and replacement of single-family

homes with one or more larger houses across the city. It is open to the public and set for 7 p.m. on Sept. 9 at the Grant Park Church, 2728 N.E. 34th Ave.

"We hope that neighborhood representatives can come together and make a proposal to the City Council that will slow the demolition and replacement of existing homes that is destroying the character of neighborhoods across the city," says Al Ellis, former president of the Beaumont-Wilshire Neighborhood Association, which is helping to organize the meeting.

Hales made his comments to the Tribune following an emotional July 31 hearing before the council during which dozens of city residents deplored the increasing demolition of existing homes for one or more larger new houses. The Bureau of Development Services issued 273 residential emulation permits last year and is on track to issue substantially more this year.

Hales said then that he was impressed by the testimony and had assigned his staff to look into the issue and make a proposal after the hearing. But last Thursday, Haynes said Fritz was in charge of it.

"We're not moving ahead of the commissioner on this. We try to be very respectful about the process. Commissioner Fritz is on this," Haynes says.

Fritz oversees BDS, where a review group, the Development Review Advisory Committee, is studying what, if anything, should be done about the increasing number of residential demolitions.

Ellis says DRAC has little credibility among neighborhood activist because it is dominated by developers, however. It is chaired by Jeff Fish, who owns a company specializing in infill developments. Fish has said he does not believe demolitions are out of control, although he believes developers should do a better job notifying neighbors and making sure to mitigate such hazards as asbestos and lead paint.

Fish's committee is expected to issue some recommendation before the end of the year. That is not soon enough for Ellis, however.

"Those of us in the neighborhood associations are hearing from residents every week who are alarmed by what is happening," Ellis says. "Something needs to be done now."

Police seek public comment on disciplinary policies

*By Jim Redden
September 1, 2014*

The Portland Police Bureau is seeking public comment in its disciplinary process.

The bureau will seek public comment on many of its policies at the beginning of each month. This is the second time it has sought comment on its disciplinary policies.

"Because the discipline process is a serious matter, a process which directly impacts members, reflects upon the Bureau, and is of interest to diverse, external parties, the Bureau is routing this series through its public process for a second time. The Bureau will be looking at national best practices and the public's comments in order to update these policies this fall," the bureau says.

Pubic comments can be made: www.portlandoregon.gov/police/59757.

The comments are being sought through Tuesday, Sept. 30, on the following disciplinary policies, which are posted on the website:

- 330.00, Internal Affairs Compliant Investigation Process
- 331.00, Service Improvement Opportunity
- 332.00, Administrative Investigations
- 333.00, Criminal Investigations of Police Bureau Employees
- 334.00, Performance Deficiencies
- 335.00, Discipline Process
- 336.00, Police Review Board
- 337.00, Police Review Board Personnel Selection
- 338.00, Discipline Guide

This webpage also enables community members to sign up for email notifications when new directives are posted.

City accepts federal police reform agreement

*By Jim Redden
August 31, 2014*

The city has accepted a federal judge's ruling that settles a potential civil rights case against the Portland Police Bureau for historically mistreating the mentally ill.

The ruling was issued on Friday by U.S. District Court Judge Michael Simon. It requires the city to comply with all of the terms of a settlement agreement reached with the U.S. Department of Justice after an investigation into police practices requested by former Mayor Sam Adams and current Commissioner Dan Saltzman when he was in charge of the bureau.

In the ruling, Simon says it could take up to five years for the city to substantially comply with all of the terms of the agreement. They include increasing training for dealing with the mentally ill, new rules on the use of Tazers, and speeding up misconduct investigations.

Simon is also requiring annual reports on the progress of complying with the agreement to be submitted to the court, with the first one due on Sept. 14 of this year.

Simon did not, however, order such additional steps as requiring body cameras on all Portland police officers.

In response, Mayor Charlie Hales issued a statement Friday afternoon which said, "Judge Simon's order, approving the settlement, helps move us forward in implementing reforms related to hiring, training, rules of force and discipline of police officers. We are in the process of hiring a Compliance Officer/Community Liaison. We're serious about having a police force that appreciates the issues around mental illness and that utilizes de-escalation tactics."

The Albina Ministerial Association, which is a party to the settlement, issued a statement Friday which said, "This ruling is a major step to creating a true community policing culture within the Portland Police Bureau in light of the national attention on Deadly Force and Excessive Force by the Police Department in the Michael Brown death in Ferguson, Missouri."

The AMA also said its Coalition for Justice and Police Reform will continue working toward the following five goals:

1. A federal investigation by the Justice Department to include criminal and civil rights violations, as well as a federal audit of patterns and practices of the Portland Police Bureau.
2. Strengthening the Independent Police Review Division and the Citizen Review Committee with the goal of adding power to compel testimony.
3. A full review of the Bureau's excessive force and deadly force policies and training with diverse citizen participation for the purpose of making recommendations to change policies and training.
4. The Oregon State Legislature narrowing the language of the State statute for deadly force used by police officers.
5. Establishing a special prosecutor for police excessive force and deadly force cases.

Willamette Week

Lars Larson Files Elections Complaint Against Portland Fire Bureau for Gov. John Kitzhaber Ad

*By Nigel Jaquiss
August 29, 2014*

Yesterday, Portland Fire & Rescue released a public service announcement featuring Gov. John Kitzhaber talking about the importance of knowing how to perform cardiopulmonary resuscitation.

The ad followed a May incident in which Kitzhaber, a former emergency room doctor, gave CPR to a woman until Fire Bureau paramedics could take over.

Lars Larson, who hosts a daily talk show on KXL (FM 101), and who generally supports Republican candidates, today filed an elections complaint with Secretary of State Kate Brown, who oversees elections.

Here's Larson's complaint:

ORS 260.432 forbids public employees from providing a "service or thing of value to promote...the election of a candidate..."

I believe that Portland Fire and Rescue has done just that by promoting a public service announcement featuring Oregon Governor John Kitzhaber. The Public Service Announcement concerns the importance of a type of CPR known as "hands only".

While the kind of information is important for the public to know about, there are reasons I suspect that this was done to help the Governor in his bid for re-election

- 1. Oregon voters will cast ballots in less than 70 days in a close Governor's race between Kitzhaber and Rep Dennis Richardson*
 - 2. The Portland Fire and Rescue PIO confirms that the agency has NEVER used the Governor in a PSA in the past (The Governor was involved in giving CPR to a woman this year but as a former emergency room doctor, giving CPR is something that Dr Kitzhaber has likely done more than a few times)*
 - 3.*
 - 4. <https://soundcloud.com/thelarslarsonshow/daemon-simmons-talks-portland-fire-bureaus-new-cpr-psa-with-kitzhaber>*
 - 5. The PSA has already generated favorable publicity for the Governor in the Oregonian newspaper and likely other places*
- I believe that union members of the Portland Fire Bureau staff have used public resources in an effort to promote candidate John Kitzhaber in his bid for re-election to the post of Governor. I believe this use of public employees and resources benefits a particular candidate and is in violation of Oregon law.*

Portland Fire & Rescue spokesman Damon Simmons provided the following statement:

We know that in an emergency, minutes, and even seconds count. For each minute a person is in cardiac arrest, their chance of survival decreases 10%. This summer, while traveling through Portland, Governor Kitzhaber stopped to provide CPR until the Portland Fire & Rescue crew arrived, greatly improving the person's chances of survival. PF&R's participation in, and airing of the 30 second video regarding learning hand-only CPR is solely about our concern for our community and desire to help. As you know, this spring we were awarded Innovation funding to obtain PulsePoint (an app that alerts people to a person triaged as experiencing cardiac arrest in Portland). Simultaneously, PF&R is making a concerted effort to teach CPR to as many people as we can. In addition to classes being offered throughout the City, we have taught hands-only CPR at every Sunday Parkways event this summer. This PSA is solely focused on making a positive difference and supports our mission.

Kitzhaber's spokeswoman Melissa Navas echoed that sentiment.

"The message is not a message about politics. This is an important public health message," Navas tells WW. Both the governor's office and Portland Fire thought it was a great opportunity to spread the word about an important public health message. The governor's office doesn't participate in elections activity. If this incident had happened two years ago, we would have done a public service announcement 2 years ago."

The Mercury

Fortunate Timing? City Pushing Ahead With Three Finalists for Police Reform Monitor

*By Denis C. Theriault
August 29, 2014*

Among the many newly firm deadlines looming over the city's finally approved package of police reforms with the US Department of Justice: the need to hire someone credible and qualified to monitor the deal—an independent compliance officer/community liaison (COCL)—within the next 90 days.

That might sound ambitious. But thanks to all the time bought by all the months of legal wrangling leading up to today's ruling, city officials say they're hoping they'll hit that mark.

The city, as the Mercury reported in June, is now several months into an occasionally contentious hiring process—choosing not to wait for Simon's blessing to bring the COCL on board. And as soon as next week, officials say, the city's Office of Equity and Human Rights is expected to announce it's already down to three finalists whose names will be aired in a public meeting by a special city selection committee.

That's a major step, coming after some tension between mental health advocates and those who were hoping the COCL would also focus on racial justice issues. It's also coming earlier than expected, in part because fewer qualified candidates applied than expected, despite outreach by groups like the Albina Ministerial Alliance Coalition for Justice and Police Reform.

Originally, the city had hoped to send more candidates to its selection committee, with that committee picking three finalists who would be sent on to interview with Portland's elected officials. But because so few candidates applied, about a dozen, the city's early screening panels managed to do that winnowing.

"We all are somewhat disappointed there aren't more viable candidates," says Commissioner Amanda Fritz, helping lead the hiring process on behalf of Mayor Charlie Hales' office. "But we're all happy there are three."

That's not to say another hiccup couldn't emerge. Fritz, who says officials have not yet finalized the selection committee's roster of about 20, allowed that the committee could still rule out one or more of the remaining candidates. And without three names sent on for city commissioners and the city auditor to review, building to a public comment process, the application process would have to start over again.

One advocate who's been minding the process, Jason Renaud of the Mental Health Association of Portland, says he remains disappointed in the caliber of candidates and is still hoping to see more substantial names like former Governor Ted Kulongoski or Paul DeMuniz, former chief justice of the Oregon Supreme Court.

"We're going to regret going with persons who are inexperienced or unfamiliar with our issues," he says. "If the advisory group can say, 'No, these people are not sufficient,' then we can shift gears and go out and recruit and repost this position."

But other favored candidates, who'd been part of this process since January, might decide to drop out, Fritz warns. She's hoping momentum will be maintained.

"We're anticipating they will be" sent along, Fritz says. "But that is something that makes us all very nervous. We'll cross that bridge when we get there."

BREAKING: Federal Judge Approves Police Reform Deal Between City, Union, and Feds

*By Denis C. Theriault
August 29, 2014*

A federal judge this afternoon has decided to accept a proposed package of police reforms negotiated between the city, the US Department of Justice, the Portland Police Association and the Albina Ministerial Alliance Coalition for Justice and Police Reform—setting in motion a rapid series of deadlines for putting the deal in place nearly two years after it was first tentatively announced.

But nodding to one of his concerns as he considered the deal, US District Court Judge Michael Simon has insisted on bringing all of the parties to the case into his courtroom for annual hearings, potentially risking an appeal that could, once more, throw a wrench into the process.

Simon also touched on another concern that's become even more relevant in light of events in Ferguson, Missouri: that the deal doesn't require police here to wear body cameras. He said he didn't think it was enough of a limitation to reject all of the other reforms, meant to answer federal accusations that Portland police have engaged in an unconstitutional pattern or practice of using excessive force against people with mental illness and that officers improperly used Tasers and generally were too quick to use force in contacts with subjects.

The deal negotiated by the city and the feds adds new rules for Tasers, allows cops to be graded on how their decisions before using force, created a new behavioral health unit in the police bureau, along with an enhanced team of crisis-trained officeres, and seeks to dramatically speed up misconduct investigations.

It seemed to call—most importantly—for at least one new drop-off or walk-in center for people with mental illness. But in a hearing this winter, the city and feds both acknowledged that such a goal was never more than "aspirational"—despite no one ever saying that back in the fall of 2012.

Read his ruling here (pdf). We'll have updates in a bit.

Update 12:45 PM: The most obvious question, for now, is whether the city or PPA can and/or will challenge Simon's ruling requiring annual updates. I've left a message asking that question with Deputy City Attorney Ellen Osoinach, one of the main city litigators assigned to the police reform settlement. Daryl Turner, president of the PPA, told me he didn't have an immediate comment on the ruling.

Update 2:29 PM: The AMA coalition has issued a statement praising Simon's ruling—in particular the call for annual updates, something the AMA argued for over and over again in hearings with Simon this year.

Simon this spring signaled he was interested in regular updates, prompting disagreement from the PPA and city, who questioned the particulars and worried it would undo a delicate mediation agreement between the two last year that lifted the reforms out of legal and labor limbo.

The AMA's attorneys argued Simon was free to order hearings even if the parties in the case didn't agree to them. Simon ultimately took up their reasoning, rejecting a compromise effort to have the city's police reform monitor come to court and present a report in the parties' stead. The DOJ, despite signing onto that compromise this summer, also told Simon it wouldn't stand in the way of a more robust protocol for updates.

The Coalition is particularly grateful that Judge Simon has insisted on the participation of all four parties to the lawsuit—the DOJ, the AMA Coalition, the City and the Police Association—as well as reports from the Compliance Officer/ Community Liaison.

The Settlement Agreement, while primarily focused on those experiencing mental health issues, should lead to better treatment of all Portlanders.

This ruling is a major step to creating a true community policing culture within the Portland Police Bureau in light of the national attention on Deadly Force and Excessive Force by the Police Department in the Michael Brown death in Ferguson, Missouri.

Yet, there is an intensified need for community engagement and community dialogue to prevent a Ferguson upheaval in Portland and keep Portland striving to create a national model of community policing.

The AMA Coalition for Justice and Police Reform is working toward these five goals:

- 1. A federal investigation by the Justice Department to include criminal and civil rights violations, as well as a federal audit of patterns and practices of the Portland Police Bureau.*
- 2. Strengthening the Independent Police Review Division and the Citizen Review Committee with the goal of adding power to compel testimony.*
- 3. A full review of the Bureau's excessive force and deadly force policies and training with diverse citizen participation for the purpose of making recommendations to change policies and training.*
- 4. The Oregon State Legislature narrowing the language of the State statute for deadly force used by police officers.*
- 5. Establishing a special prosecutor for police excessive force and deadly force cases.*

Update 4:17 PM: Mayor Charlie Hales has issued a statement on Simon's ruling that suggests the city won't argue with the judge's call for annual updates that will start, per his order, in September 2015.

"We all want our Police Bureau to treat all people with humanity and dignity, and to have the tools and training necessary to deal with the complexities of mental illness. This agreement, now affirmed, solidifies Portland's commitment to serving our diverse community.

"Judge Simon's order, approving the settlement, helps move us forward in implementing reforms related to hiring, training, rules of force and discipline of police officers. We are in the process of hiring a Compliance Officer/Community Liaison. We're serious about having a police force that appreciates the issues around mental illness and that utilizes de-escalation tactics."

The Skanner

Portland DOJ Report: Judge Simon Rules City Must Give Annual Report to Court

*By The Skanner staff and wire reports
August 29, 2014*

PORTLAND, Ore. (AP) — A federal judge has accepted the settlement between the U.S. Department of Justice and the city of Portland on reforms intended to improve the way police deal with the mentally ill, and to rebuild community trust.

But U.S. District Court Michael Simon said Friday he wants annual progress reports, a requirement the City of Portland previously opposed and could challenge in court. Simon ordered the first such hearing for September 2015. He also brought up the issue of having police wear cameras to monitor their interactions with the public.

The Justice Department in 2012 found Portland police engaged in a "pattern or practice" of excessive force when dealing with the mentally ill and those perceived to be mentally ill. And a fairness hearing which allowed the public to comment brought a parade of individuals, legal and civil rights organizations who testified about racial profiling and excessive force. Portland Police Bureau announced a slate of reforms but police accountability activists say they want deeper reforms.

The Department of Justice report acknowledged that a deep mistrust marred relations between police officers and Portland's minority communities, but did not specifically investigate race discrimination. The City of Portland rejected the findings even as it instituted a slate of reforms.

Among the reforms underway, the city must create a crisis-intervention team, expand its mobile crisis units from a single vehicle to one vehicle per precinct and complete investigations of officer misconduct within 180 days.

The Portland Mercury, which broke the news has posted the judge's ruling in full here. Read The Portland Mercury story here.

The Albina Ministerial Alliance issued the following statement:

The Albina Ministerial Alliance Coalition for Justice and Police Reform supports the ruling of Judge Simon affirming the Settlement Agreement for reforming the Portland Police Bureau and the active participation of Judge Simon in reviewing the progress or non-progress of implementing the Settlement Agreement.

The Coalition is particularly grateful that Judge Simon has insisted on the participation of all four parties to the lawsuit-- the DOJ, the AMA Coalition, the City and the Police Association-- as well as reports from the Compliance Officer/ Community Liaison.

The Settlement Agreement, while primarily focused on those experiencing mental health issues, should lead to better treatment of all Portlanders.

This ruling is a major step to creating a true community policing culture within the Portland Police Bureau in light of the national attention on Deadly Force and Excessive Force by the Police Department in the Michael Brown death in Ferguson, Missouri.

Yet, there is an intensified need for community engagement and community dialogue to prevent a Ferguson upheaval in Portland and keep Portland striving to create a national model of community policing.

The AMA Coalition for Justice and Police Reform is working toward these five goals:

1. A federal investigation by the Justice Department to include criminal and civil rights violations, as well as a federal audit of patterns and practices of the Portland Police Bureau.
2. Strengthening the Independent Police Review Division and the Citizen Review Committee with the goal of adding power to compel testimony.
3. A full review of the Bureau's excessive force and deadly force policies and training with diverse citizen participation for the purpose of making recommendations to change policies and training.
4. The Oregon State Legislature narrowing the language of the State statute for deadly force used by police officers.
5. Establishing a special prosecutor for police excessive force and deadly force cases.