



Commissioner Nick Fish
City of Portland

Commissioner Nick Fish Statement

Item 1173: Authorize the Commissioner in Charge of the Police Bureau to order content-neutral time, place, and manner regulations for demonstrations held in the City

After careful consideration, I cannot support this ordinance.

But I want to begin with where we agree:

- Everyone should be welcome in our public square. Hate, bigotry, and violence have no place in our community.
- And it's long overdue that we all link arms and say to the Proud Boys, Patriot Prayer, and those who would bring hate to our community – stay home.
- Protecting public safety is one of our basic obligations.
- Any limits on the rights of free speech and public assembly protected in our State and Federal Constitutions are subject to heightened legal scrutiny. In general, government must establish that those limits are a last resort.
- There's been too much violence during recent protests, especially instigated by members of alt-right groups using Portland as a staging ground.
- These events have taken precious safety resources out of other neighborhoods, leaving East Portland and other areas without the services they, like all of us, help fund and deserve. This also has a consequence for our goals around community policing.

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My vote today is based on several factors.

First, I have concerns about the constitutionality of the protest ordinance. At the very least, it sets up a costly and divisive legal battle.

Second, I'm not convinced that we've done everything we can with the tools already at our disposal. That includes arresting people who violate our laws.

Third, I am encouraged by the offers we have received from civil liberties and civil rights organizations to develop a new approach to address the alt-right violence in our streets.

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This is a close call for me.

The Mayor, as Police Commissioner, is entitled to a certain amount of deference.

And I'm grateful to Mayor Wheeler for beginning this conversation. He's right to focus on solutions to the unacceptable violence on our streets and the rising tide of hate and intolerance of a vocal minority. And he has made real progress pursuing the police reform agenda on which he ran for office.

At the same time, I cannot ignore the many community voices that have raised fair concerns with this approach and have offered to be part of a different solution.

My vote is not a referendum on the job Chief Outlaw is doing. She has the hardest job in local government and deserves our respect and support.

Nor is it a commentary on the women and men in uniform who serve and protect our city. They too deserve our respect and support.

Rather, it reflects my sincere ambivalence with this path forward and my belief that other alternatives may be more successful.

I am grateful to the many community leaders who shared their perspective during this debate.

I vote no.