

The Oregonian

NE Portland woman sues Portland Police over detention during search for suspect of different gender, race

By Helen Jung

Lisa Haynes is not male, Hispanic or anywhere near 5-foot-4, but that didn't stop Portland Police from detaining and handcuffing her two years ago as they searched for a mail-theft suspect described in that manner.

Now, Haynes, a Northeast Portland resident, has filed a lawsuit against the city and Officers Greg Baldwin and Jordan Winkel alleging unlawful seizure and assault and battery stemming from the Feb. 17, 2012, incident. She also is suing the city for failing to adequately train and supervise its officers on seizure and avoiding the use of excessive force.

In her federal complaint filed Friday, Haynes, 49, said the two officers shoved her, yelled profanity at her, verbally threatened her and patted her down – including touching her genital area – before letting her go. She said she was waiting for a bus at Southeast 82nd Avenue and Foster Road when the officers stopped her in their search. She said they questioned her without telling her why and grabbed her when she thought she was free to leave.

The incident prompted Haynes to file a complaint with a police review board in the months after the detention. Although Portland Police's Internal Affairs Division initially called for exonerating the officers of all allegations, Portland's Citizen Review Committee harshly criticized the quality of the police bureau's investigation last June.

Among other concerns: The Internal Affairs officers failed to interview all potential witnesses, did not consider Haynes' allegation that the police stop was inappropriate and potentially discriminatory, and allowed reports on old encounters police had had with Haynes and her son that were irrelevant to remain in the case file for review, members noted.

During that hearing, the officers' lieutenant had defended their actions, saying that suspect descriptions can often be wrong and that he believed they were cordial with Haynes.

But the criticisms prompted the Internal Affairs division to authorize a second investigation, which, Haynes said, again called for exonerating the officers. She said the citizen review committee, some of whose members had changed, affirmed the new investigation but called for one change: An allegation that Baldwin was rude to her was changed from "exonerated," to "unproven," she said.

A Portland Police spokesman and two members of the Citizen Review Committee did not immediately comment.

Haynes, who is representing herself at the moment, is seeking unspecified damages to be determined during trial.

Portland plans to declare impasse with DCTU after 'no' vote: Portland City Hall Roundup

By Brad Schmidt

The city of Portland on Tuesday is expected to declare an impasse in labor negotiations with the District Council of Trade Unions, the city's largest bargaining group, which represents about 1,600 employees.

The declaration comes after the coalition of seven unions last week took the rare step to vote against a proposed four-year contract.

The impasse will leave city and labor negotiators with seven days to submit new offers – although neither side appears ready to make concessions.

"We're certainly not going to offer anything that's better at this point," said Anna Kanwit, Portland's human resources director. "That doesn't make any sense."

Portland originally declared an impasse in negotiations Jan. 6 but bargaining teams hammered out a tentative agreement a week later.

Union members rejected that agreement, however, with about

Kanwit said the city tentatively plans to notify the state's Employment Relations Board about the impasse on Tuesday. Kanwit notified the City Council about those plans Friday and was waiting for final confirmation.

If the city moves forward as expected, both sides will have seven days to submit a best and final offer. After that, each side would wait 30 days before striking or implementing the contract.

The District Council of Trade Unions represents AFSCME Local 189, which has about 800 employees, Laborers' Local 483, with about 700 members, and five other unions representing about 100 electrical workers, machinists, mechanics, operating engineers, plumbers and painters.

Members of Laborers' Local 483 led the campaign against the latest proposal.

Rob Wheaton, chief negotiator for DCTU, said some members have concerns about the city's proposed 0.9 percent cost-of-living increase and caps on compensatory time off. Some members are also concerned about a provision that they worry could enable the city to contract out work.

Wheaton met with union leaders on Thursday and is now urging the city to submit a legitimate offer.

"Don't push people to vote against this offer," Wheaton said. "Give them a legitimate last, best and final offer that they can live with."

But he conceded that the city may hold firm, particularly since the union rejected a deal that had been recommended by both sides' bargaining teams.

The Portland Tribune

Council to consider Portland Streetcar realignment

By Jim Redden

Portland's City Council will consider Wednesday realigning a portion of the westside Portland Streetcar line near Portland State University.

A measure to accept a \$1.5 million grant from the Portland Development Commission to design the new alignment is on the Feb. 19 agenda. The funds would help design a two-track alignment along parts of Southwest Fourth Avenue and Montgomery Street where there is only one track.

According to an ordinance submitted by Portland Transportation Commissioner Steve Novick, the current single track caused delays in the westside streetcar system. The delays would also affect the eastside system when the Willamette River transit bridge is finishing and the Portland Streetcar Loop is completed.

The track is located where the city and PSU had once considered building the Oregon Sustainability Center. The realignment project was originally expected to take place when that project was built. The Oregon Department of Transportation previously approved \$1.9 million in Connect Oregon III funds for some of that work. But the project was scrapped because of concerns about cost and funding.

If the council accepts the PDC grant, construction is expected to begin this summer.

The council is considering the project at a time when Novick is considering revenue options for street maintenance and sidewalk construction. ODOT and PDC funds are not used for such work, however.

Willamette Week

Advocates Demand City Hall Response to East Portland Walking Deaths

By Aaron Mesh

The deaths of two people crossing streets in East Portland this weekend have sparked a renewed campaign pressuring City Hall to spend more money on walking safety.

Pedestrian advocacy group Oregon Walks launched this morning demanding Portland leaders, including Mayor Charlie Hales and City Commissioner Steve Novick, commit to "Vision Zero"—a policy of street-safety investments designed to eliminate walking deaths.

"I want this petition to show that there is dramatic and vast support for this," says Aaron Brown, president of Oregon Walks. "We want a firm commitment to building a transportation system that results in zero fatalities."

The two deaths over the weekend mark the fifth and sixth people killed walking on Portland streets in the past three months.

Yan Huang, 78, was killed Friday morning crossing Southeast Division Street at 84th Avenue with her husband, Zhi Hu. The next day, Douglas Norman Miller, 60, was killed in a hit-and-run at Southeast 124th Avenue and Powell Boulevard.

Neither intersection has a crosswalk. (A pedestrian bridge crosses over Division Street one block east.)

The lack of sidewalks and crosswalks in East Portland has sparked an outcry since last February, when 5-year-old Morgan Maynard-Cook was killed on Southeast 136th Avenue.

Brown says the first step Oregon Walks wants the city to take is committing to funding the \$1 million request by Novick for 15 sets of flashing beacons at crosswalks at the city's most dangerous intersections—two in Southwest Portland and 13 in East Portland.

UPDATE, 2:10 pm: City Commissioner Steve Novick says he supports the "Vision Zero" policy.

"I think it's a great vision that should help guide our choices in a variety of ways," Novick says, "in addition to the obvious safety measures like flashing beacons at dangerous intersections."

Novick tells WW he sees several ways to change government policy to reduce walking deaths—including raising alcohol taxes, making traffic enforcement a higher priority in the police budget, and investing in public transit.

WW recently examined Novick's request to help fund the study of a mass transit line running to Tualatin.

"I know that increased reliance on transit reduces overall traffic deaths—one of the reasons New York City has less than half the national average of traffic deaths," Novick says. "I'm not certain about the breakdown of pedestrian versus vehicular or cyclist deaths in that calculus, though. But traffic safety generally is definitely a major reason to support transit."

The Skanner

Fairness Hearing in Portland's Police and Civil Rights Settlement: Feb 18

By The Skanner News

Police accountability activists are preparing to testify at a fairness hearing, Tuesday, Feb. 18, on the proposed settlement between the City of Portland and the Department of Justice.

Federal Judge Michael Simon agreed to listen to community testimony in-person or by video on the proposals.

A rally has been scheduled for 8 a.m. outside the Mark Hatfield federal courthouse, 1000 SW 3rd Ave. The hearing starts at 9 a.m.

Activists say the proposals don't go far enough to protect the community. They are asking the judge to reject the settlement and order a renegotiation.

Among the demands are:

More citizen involvement in police accountability, review, and investigation.

An end to the 48 hour rule that allows police to have two days before giving their account after they use deadly force

An end to settlement loopholes that allow violent cops to stay on the force and serve as mental health first responders

- An investigation into practices of racial profiling by the Portland Police.

Portland Copwatch, issued a statement saying members of the all-volunteer group plan to testify at the fairness hearing.

The group's written testimony is available in full on its website. The group also issued the following summary:

1. APPEALING FINDINGS ON DEADLY FORCE INVESTIGATIONS

Summary: People subjected to deadly force or their families should have the right to appeal administrative findings regarding whether the officer(s) engaged in misconduct.

2. TASER USE AND THE DOJ AGREEMENT

Summary: The Agreement leaves room for improper and excessive use of Tasers; the City's effort to enact the Agreement creates even more loopholes.

3. ACCOUNTABILITY-- INDEPENDENT POLICE REVIEW DIVISION

Summary: The process for investigating most complaints of police misconduct still relies too heavily on the police to produce trust; timelines must allow for the process to be completed.

4. ACCOUNTABILITY-- CITIZEN REVIEW COMMITTEE

Summary: Make the CRC's standard for evaluating misconduct findings less deferential, give the volunteer members time to hold appeal hearings, and set their quorum at 6 of 11 members, not 5.

5. ACCOUNTABILITY-- POLICE REVIEW BOARD

Summary: Allow community members to attend Police Review Board hearings and improve transparency; clarify PRB's ability to require more investigation.

6. USE OF FORCE AND THE DOJ AGREEMENT

Summary: Policies should clearly limit the amount of force the PPB is allowed to use; violations should have serious consequences; officers should not have special rights when being investigated; and cops should not be left alone to investigate other cops.

7. MENTAL HEALTH PROVISIONS

Summary: While some aspects of the Agreement start to get at long-standing issues around police interactions with people in mental health crisis, both the design and implementation do not go far enough.

8. TRAINING AND THE DOJ AGREEMENT

Summary: Training should include input from all of the community; changes to training should look at national and local past and present trends; trainers should be chosen carefully.

9. TRACKING POLICE CONTACTS / DEMOGRAPHIC INFORMATION

Summary: The Agreement calls for collection of demographic data about some police encounters, but it is not clear which encounters will be tracked or that changes will be made based on the data.

10. IMPLEMENTATION AND TRANSPARENCY

Summary: The Agreement as it has been implemented already undermines its stated principles of transparency.

11. OVERSIGHT OF THE AGREEMENT / CONCLUSION

Summary: The Court should make clear what the terms of the Agreement mean so that determining "substantial compliance" can be done objectively by reviewing the Court record, not subjectively reading the Agreement.

Portland Copwatch concludes its testimony by noting it will not apply to be part of the Agreement's "Community Oversight Advisory Board" unless needed changes are made so that efforts to improve the police will not be hampered over the 5 years the Agreement is to be in effect.