

## The Oregonian

### Portland power axis: How the political system, voting behavior limit east Portland's voice

*By Brad Schmidt  
July 28, 2014*

For a century, political power in Portland has been concentrated in a select few neighborhoods comprising a tiny fraction of the city's overall geography.

Portland's boundaries and population expanded east.

Political representation did not.

The reason? Unlike all but one other large American city, Portland has maintained a 101-year-old political system that does not ensure representation for newly annexed neighborhoods.

Critics say the resulting absence of a political voice for east Portland is one major reason why one-quarter of the city's population lacks in basic amenities that areas west of 82nd Avenue take for granted, ranging from adequate sidewalks to developed parks.

In a liberal bastion that values equity, Portland's form of government reinforces these profound geographic disparities. East Portlanders can't elect their own city commissioner, and they lack the electoral punch to kick out those who break promises made during obligatory campaign stops.

"There's a backlog of neglect," said Jo Ann Hardesty, a former state legislator who moved to east Portland in 2010. "And since no one currently serving on the City Council lives in this community, they don't feel the urgency."

Just one politician has ascended to the City Council from the neighborhoods east of 82nd Avenue in the three decades since annexation began. Compared with the rest of Portland, these areas are poorer, less educated, more Republican, more diverse, home to a higher percentage of immigrants who are not U.S. citizens.

And they don't vote.

An analysis of census and elections data by The Oregonian shows that compared to other residents, Portlanders living east of 82nd Avenue register to vote in smaller numbers, return ballots less frequently and contribute almost no money to political campaigns.

It's an equation that makes east Portland all but irrelevant politically.

"When people feel disenfranchised they're less enthusiastic about the people they could be electing to represent them, so why vote?" said Rep. Shemia Fagan, a democratic lawmaker who represents portions of east Portland.

"And then because they don't vote, perhaps they don't get as much attention from their government."

#### **Lack of voting**

Like a lot of east Portland residents, Timothy Freeman doesn't vote.

The 31-year-old can't name Portland's mayor or any of the four city commissioners. Freeman remembers being turned off by the 2000 presidential election and has chosen not to register.

"I just don't have faith in the system," he said.

Lakisha Crane, 29, is a registered voter, but she hasn't cast a ballot since the 2012 general election.

Crane, who lives with her two daughters in an apartment near Northeast 122nd Avenue and Halsey Street, said the City Council should focus on creating more jobs and opportunities in east Portland. Then, maybe, she'd pay attention.

"Give us a reason to vote," she said.

Freeman's and Crane's limited interest in voting helps illustrate east Portland's political void.

The Oregonian reviewed census data and voting statistics for 11 elections in even-numbered years since 2004, when voters elect presidents, governors, mayors and city commissioners. Compared with the rest of the city, giant disparities emerged:

- Immigration is dramatically diluting east Portland's electorate. Today, east Portland is home to more than 123,000 residents who are old enough to vote. But 1 in 6 voting-aged residents is ineligible because he or she lacks U.S. citizenship, a rate nearly three times higher than in the rest of the city.
- U.S. citizens in east Portland don't bother registering to vote. Of the residents who are eligible, 24 percent are unregistered, a rate 10 percentage points higher than in the rest of the city.
- When east Portland residents do register, they're less likely to return ballots. In the 11 primary and general elections since 2004, east Portland's turnout lagged the rest of the city's by an average of 8 percentage points.

As a result, in any given election thousands of would-be voters from east Portland aren't participating.

With numbers like that, it's easy to understand why politicians don't fear the wrath of east Portland residents on Election Day.

"You have a lot of competing interests in the city," said Randy Leonard, a city commissioner from 2002 through 2012 and the only politician to join the City Council while living in east Portland.

"You're going to give as much attention as you can to those who you think are going to hold you accountable at the ballot box," he said. "And if you don't vote, there's a lack of accountability."

### **No representation**

Neighborhoods east of 82nd Avenue lack something just as meaningful as voting clout: a political system that ensures geographic diversity on the City Council.

Among America's 50 most populous cities, only Portland and Columbus, Ohio, still elect city council members exclusively through at-large elections. Everyone else designates at least some seats based on geographic districts or wards. Detroit made the switch last year; Austin will in November; Seattle launches district elections in 2015.

"The one thing about districts is it ensures representation" even without significant voter turnout, said James Svava, an Arizona State University professor who specializes in governance.

Why no district representation here?

Because Portland remains the last big city in the country with a commission form of government. City Council members serve both as legislators and as department executives, each assigned by the mayor to head city bureaus responsible for services such as roads or sewers or parks. The city charter that voters adopted in 1913 determined that Portland's mayor and four commissioners should be elected citywide for this reason.

Across the United States, political systems for large cities place city councilors in the role of legislators who become acutely familiar with issues within individual districts. The mayor or city manager alone handles administrative duties.

"It seems like every other city determined long ago that that's the best way to do things," said Paul Gronke, a Reed College political science professor and political research director for polling firm DHM Research. "Except Portland."

Portland's existing governance structure, which has withstood eight ballot campaigns to change it, produces inequitable results.

The Oregonian compiled records for the 49 Portlanders who have served on the City Council since 1913, noting the home address listed the year they first took office. The historic footprint of the city's elected leadership more closely resembles the Portland of a century ago, not of today.

The majority, 25, lived in the area bounded by: the current Martin Luther King Jr. Boulevard; Northeast Alberta Street; 47th Avenue; and Southeast Hawthorne Boulevard.

In a city now 133 square miles in size, more than half of its policymakers have come from a corridor spanning 7 square miles.

Only two candidates have ascended to the council while living east of 47th Avenue. Only one, Leonard, came from the 38 square miles east of 82nd Avenue.

Electing city council members from districts would give east Portland a voice, said Frieda Christopher, a board member for the David Douglas School District since 1991.

"We have felt that if we had someone on City Council just representing that area," she said, "we'd at least have someone who knew the area and spoke in our favor."

### **Victories are hard fought**

East Portland leaders have notched some victories, but it hasn't been easy.

The city worked with neighborhood activists five years ago to create the East Portland Action Plan, a list of 268 potential improvements that became a unifying force drawing 45 to 65 community members to monthly meetings.

"We don't necessarily kick people in the shins," said Arlene Kimura, who co-chairs the group advocating for the plan. "But we do tap them strongly on the shoulder and say, 'Excuse me.'"

State legislators from east Portland have helped.

Fagan, the House member representing east Portland, secured \$3.6 million in state money last year to build sidewalks along Southeast 136th Avenue where a 5-year-old girl was fatally struck by a sport utility vehicle.

This year, Fagan and Rep. Jessica Vega Pederson, a Democrat from east Portland, earmarked \$1.9 million for 18 safer crossings east of 82nd Avenue.

Portland Mayor Charlie Hales balked at a similar request from Commissioner Steve Novick to spend \$1 million for pedestrian safety projects in east Portland.

"If the city doesn't feel like it has the right method of doing that right now, we're going to work as hard as we can to find a solution," Vega Pederson said.

City commissioners also have paid renewed attention to east Portland in recent years.

Amanda Fritz, from Southwest Portland, steered funding to build two new parks, and Nick Fish from close-in Northeast secured money for basic parks improvements. Dan Saltzman, from Hillsdale on the westside, championed a domestic violence center. Novick, from the Multnomah neighborhood in Southwest, assigned an employee as an east Portland liaison.

Still, those efforts aren't quite the same as having someone who understands the concerns because they live in the area.

Leonard, the former commissioner from east Portland, said he could recall a handful of times when his place of residence affected his vote. Among those was a 2011 plan to allow food waste to be temporarily held in Lents, which Leonard opposed.

"It felt more like I was geographically in tune with that issue than my colleagues," Leonard said.

During that City Council hearing, Fish – who lives in the city's historic power core – noted that he actually visited the proposed site in east Portland. Leonard quipped that he passed it twice a day.

"I'm just curious," Leonard asked, "did you need a map to get to Lents?"

East Portland residents in the audience booed. The City Council approved the plan, 4-1.

## **Protesters rally to oppose city's settlement with Portland Police Capt. Mark Kruger, end up disappointed**

*By Melissa Binder  
July 27, 2014*

About 20 people gathered in Pioneer Courthouse Square Saturday evening to protest the city's settlement with Portland police Capt. Mark Kruger.

Kruger filed a notice of his intent to sue the city in January 2013, arguing other officials slandered him in a series of text messages. To settle the dispute, the city agreed last month to pay Kruger \$5,000, provide him with 80 hours of extra vacation time and erase two disciplinary actions from his record.

Those actions were an 80-hour suspension without pay that Kruger received in 2010 for his public tribute to five Nazi-era German soldiers at a Portland park sometime between 1999 and 2001, and a written reprimand he got this year for retaliating against a female lieutenant.

"We've lost a lot more than money," said protester Malcolm Chaddock. "There are some battles that shouldn't be surrendered."

The group marched through Pioneer Place Mall and confidently entered the Portland Police Bureau station downtown. The leaders asked to speak to Police Chief Mike Reese, but were given a phone number instead.

Armenio Lewis, 18, tried twice to leave a voice message for Reese. The first time he failed to navigate the phone tree. The second time the message glitched and repeated an incoherent phrase until the voicemail system beeped and thanked the caller for his message.

Frustrated, the group decided instead to march on City Hall.

"What is Portland Police Officer Mark Kruger?" Lewis repeatedly yelled. The small crowd answered: "A Nazi!"

Once there, Lewis talked to a man through an intercom mounted by the door. The 18-year-old requested to come inside, or at least to get contact information for Mayor Charlie Hales. The man on the intercom suggested the protesters come back during a work day.

The group, down to about a dozen participants, rallied on the steps outside City Hall.

The protest hadn't gone as hoped, Lewis said to the group. He collected email addresses from those who were interested in "longterm efforts," though he said later he didn't have any longterm plans.

Participants said they were discouraged by the turnout. Donnie Beasley of Southwest Portland said he expected Pioneer Courthouse Square to be full of protesters as angry as he is.

"I'm ashamed that there aren't more people here," he said.

## **Portland would pay \$110,000 to settle federal civil rights suit against police, under city ordinance**

*By Maxine Bernstein  
July 25, 2014*

The city is poised to pay out \$110,000 to settle a federal civil rights lawsuit filed by a Portland man who accused Portland police of battery, assault and false imprisonment in a 2010 encounter at an Old Town nightclub.

The negotiated settlement goes before the City Council on Wednesday.

"The City Attorney's Office and Risk Management concur that this is a reasonable settlement in light of the potential exposure for a significantly larger verdict if the case went to trial," wrote Bryant Enge, the city's director of Internal Business Services in a memo to the mayor Friday.

Daniel Collins accused four officers of violently taking him to the ground in the foyer of the Barracuda nightclub on Dec. 24, 2010, repeatedly punching him in the face, kneeling him in the back and stunning him with a Taser gun, according to the lawsuit.

The lawsuit was filed in U.S. District Court on June 22, 2012 against Officers Darrell Shaw, Matthew Delenikos, Gregory Burn and David Abrahamson.

"The violent beating and electric shocks delivered by the individual defendants caused plaintiff Collins to pass out," the lawsuit said.

Collins was taken to OHSU Hospital, where he was treated for his injuries. He was cited for interfering with a peace officer and resisting arrest. The Multnomah County District Attorney's office did not pursue the charges against Collins.

Collins was not involved in a physical altercation at the club, was unarmed and committed no crimes, the suit said.

According to the city, police had responded to the club on a report of two fights. Collins said he was trying to leave the club when he was taken to the ground by the officers.

"He testified in deposition that he was then pinned against a metal post with his arm under him, and that he was therefore unable to comply with officers' directions," according to the city's memo. "Although there were factual disputes about exactly what happened inside the nightclub due to the chaotic scene there, it is undisputed that Mr. Collins was Tasered multiple times, and was struck by the officers as they attempted to arrest him and remove him from the building. He was rendered unconscious."

Collins is the grandson of Pastor Mary Overstreet of Portland's Powerhouse Church of God in Christ. Collins was 21 at the time of the 2010 incident, home for winter break from his studies at a community college in Arizona.

## **The Mercury**

### **City to Pay Out \$110,000 for Police Beating at Nightclub**

*By Denis C. Theriault  
July 25, 2014*

Daniel Collins, a 21-year-old college student at the time, has always maintained he was merely trying to leave Old Town's Barracuda nightclub soon after a melee broke out on Christmas Eve 2010, bringing in a bunch of cops who immediately set about trying to break things up.

And Collins might have made it out if he hadn't run into four of those officers: Darrell Shaw, Matthew Delenikos, Gregory Burn, and David Abrahamson.

Court documents all agree he was put on the ground, kneed on his lower body, and hit with a Taser. They agree he was unarmed. They also agree he was taken to OHSU, where he was cited for interfering with a police officer and resisting arrest. And they agree those charges were never pursued by prosecutors.

Of course those documents don't agree on every detail. Collins, in suing the police bureau and the officers in June 2012, also said (pdf) he was punched in the face and kicked and Tasered several times, and that he hadn't been doing anything wrong when the four officers grabbed him. The city, in turn, argued (pdf) he was kicking and hiding his hands, that he had committed "crimes," and that he'd been trying to interfere with another person's arrest.

But city officials clearly felt Collins' version of events would resonate with a judge or jury. And this Wednesday, more than two years after he first filed suit, the Portland City Council is expected to give him a \$110,000 payout for his pain and suffering.

According to court files, deputy city attorney Jim Rice asked the judge for time to hammer out the last details on a settlement back in April, targeting the July 30 city council meeting for approval.

The Oregonian reported on Collins' original complaint a few days after he filed it. The paper reported he's "the grandson of Pastor Mary Overstreet of Portland's Powerhouse Church of God in Christ." Collins deferred to his attorney, Matthew McHenry, when reached for comment. McHenry ~~has yet to return a message seeking comment~~ declined to comment while the settlement is still pending. ~~We'll update when the city posts documents better explaining the settlement to its council agenda later this afternoon.~~

Update 3:55 PM: The city documents are up. They cite a deposition in which Collins explained he couldn't obey the officers to show his hands because they'd pinned him against a metal pole. The documents also mention the fact that Collins was struck and Tasered until he lost consciousness.

The lawsuit arose from an incident on December 24, 2010, when Portland Police officers were called to the Barracuda nightclub in the Old Town area of Portland due to fights that had broken out inside the nightclub. Plaintiff alleged that he was attempting to leave the club when he was taken to the ground by the responding officers. He testified in deposition that he was then pinned against a metal post with his arm under him, and that he was therefore unable to comply with officers' directions. Although there were factual disputes about exactly what happened inside the nightclub due to the chaotic scene there, it is undisputed that Mr. Collins was Tasered

multiple times, and was struck by the officers as they attempted to arrest him and remove him from the building. He was rendered unconscious, and was taken by ambulance to OHSU for treatment.

The City has been represented in the litigation by Deputy City Attorney Jim Rice. A mediation session was held on April 28, 2014, before United States District Court Judge Ann Aiken, Chief Judge for the Oregon District. As a result of substantial negotiation between the respective parties, a proposed settlement agreement was reached. Total to be paid by the City is \$110,000. This includes all claims and damages, including costs and attorney fees. The City Attorney's Office and Risk Management concur that this is a reasonable settlement in light of the potential exposure for a significantly larger verdict if the case went to trial.

## **The Portland Business Journal**

### **Portland voters to decide fate of parks funding**

*By Andy Giegerich  
July 25, 2014*

Portland voters will weigh on whether the city's parks merit up to \$68 million in bonds for various projects.

Commissioner Amanda Fritz said about \$40 million of that money would back urgent needs, such as equipment that's breaking or has already broken down. The Portland City Council voted unanimously to take the matter to voters.

The last parks bond, which passed in 1994, will be repaid in 2015. According to the city, if the measure passes, there would be no increase in parks property tax rates from current figures, about 8.7 cents per \$1,000 of assessed value.

The measure would still only fund less than 20 percent of the major maintenance projects identified by the parks system, said Commissioner Amanda Fritz, who oversees the bureau.