

The Oregonian

All of the City of Portland's single-occupant restrooms may soon be gender-neutral

By Eder Campuzano

May 31, 2016

Portland City Hall will be full of potty talk on Wednesday morning.

The city council is expected to adopt a policy that makes more than 600 single-occupant restrooms gender-neutral during its weekly meeting, essentially shelving bathroom signs that feature the traditional male and female silhouettes in favor of plaques depicting a toilet.

The proposed policy only applies to city-owned buildings.

The proposal will also require any new construction to include single-occupant, gender-neutral bathrooms. It also outlines three distinct groups all-user bathrooms are meant to accommodate: "parents with children, people with personal attendants, and individuals regardless of their gender identity or gender expression."

It wouldn't be the first time a public Portland institution proposed an accommodational bathroom policy. Grant High School in 2013 set up six unisex bathrooms after hearing concerns from transgender students uncomfortable with the school's existing facilities. Multnomah County has also had gender-neutral restrooms for just as long.



The council's policy proposal also comes at a time when the question of who's allowed in which restroom is being debated across the country.

Portland employees were banned from traveling to North Carolina in March after that state adopted a bill that required residents to use restrooms corresponding to the sex on their birth certificate. National retail chain Target is also experiencing fervor over its policy of allowing customers to use facilities that correspond to their gender identity. And in Utah, a father was assaulted for letting his daughter use a Walmart's men's room.

The Portland City Council's proposal will require 10 percent of restrooms in any new buildings to be single-occupant units available to anyone. But in current buildings that lack any single-occupant facilities — City Hall among them — some of those restrooms will be converted to all-user bathrooms with privacy screens.

All city buildings would have to comply with the new policy and adjust signage by June 17 while Portland Parks and Recreation will have until Sept. 10.

The City Council meets at 9:30 a.m. at 1221 SW Fourth Ave.

The Portland Tribune

Audit: City should stop subsidizing presidential campaigns

By Jim Redden

May 31, 2016

Portland has spent at least \$180,000 to support visits by presidential candidates and their surrogates during the past two years without making any effort to get reimbursed — despite a city policy to the contrary, according to a new audit by the city auditor's office.

The audit released Tuesday, May 31, "Presidential campaign visits: The City should follow policy and charge for services," found that most of the money was spent by the Portland Police Bureau to provide security, although other services were provided by human resources, information technology and city attorney's office employees.

No attempt was made to recover such costs over the past two years, even though the city code allows bureaus to charge private entities for services. The existing policy requires bureaus to: collect the resources to which the city is entitled; charge fees to fully recover costs when services provide private benefits to specific users; and send bills within 30 days.

"As a result, taxpayers and the City's General Fund subsidized these political campaign events, even as donors were asked to contribute \$500 to \$12,500 at political fundraisers. When City funds are scarce and the City has to prioritize many competing services, it is important for the City to recover its costs from private entities when it can," the audit says.

The audit says much of the city's cost is police overtime. Despite that, the police bureau had been unsuccessful at being reimbursed in the past, and so stopped following the policy. The audit says the bureau should start following the policy again.

In a letter of response, Police Chief Larry O'dea agreed with the audit and would comply. The letter was written before O'dea was placed on paid administrative leave during an investigation into how he responded to shooting a friend during a hunting trip.

The audit gave several examples of the cost of such campaign visits, including:

- At least \$89,000 for at least 1,400 staff hours when President Barak Obama visited Nike and held a fundraiser at a hotel in May 2015.
- At least \$53,400 for 1,200 staff hours when Vice President Joe Biden campaigned for U.S. Sen. Jeff Merkley and visited an ice cream parlor in October 2014.
- At least \$22,000 for 400 staff hours when Vermont U.S. Sen. Bernie Sanders held a campaign rally at the Moda Center in March 2016.
- At least \$7,100 when former House Speaker John Boehner visited Portland for unknown reasons in September 2015.
- \$4,900 for 100 staff hours when former President Bill Clinton visited a bookstore with Gov. Kate Brown on before of his wife in March 2016.

- \$3,900 for 100 staff hours when former Secretary of State Hillary Clinton held a private fundraiser in August 2015.

The audit found only one instance where the police bureau was partly reimbursed. Sander's campaign repaid it \$1,100 for 14 staff hours for his August 2015 rally.

The audit found some other cities have successfully recovered some or all of their campaign-related costs.

"Campaigns have reimbursed other cities for police overtime. This includes \$10,000 to Newport Beach from Mitt Romney; \$1,800 to Des Moines from Hillary Clinton; \$3,600 to Marshalltown, Iowa, from Donald Trump; and \$90 to Marshalltown from Bernie Sanders," the audit says.

"On the other hand, we also found many cities that did not bill campaigns or unsuccessfully tried to recover their costs later," the audit continues.

You can read the audit at www.portlandoregon.gov/auditservices/article/578387.

Willamette Week

City Officials Consider Reducing Apartment Construction in East Portland

By Rachel Monahan

June 1, 2016

Jim Wallace is confused. All he hears about is Portland's biggest issue: the city's housing shortage.

Yet city officials are now considering a plan that would strip Wallace of his current ability to develop multifamily housing on his East Portland property.

"You can't tell me you want more housing and rezone the property," says Wallace, a property investor. "What's the sense of this?"

For decades, Portland has pursued a strategy of combining public transit with dense, urban development in the center of the city and along major streets. But now, just as the housing crunch is reaching crisis proportions, city officials are considering a zoning change that would mandate less density in one of the most affordable parts of the city.

Wallace had hoped someday to develop the single-family house he owns at 10703 E Burnside St. into apartments—or sell it to a developer.

But now the city is considering "downzoning"—or reducing the allowable density of—a 240-acre patch of outer Southeast and Northeast Portland, mostly in the Powellhurst-Gilbert and Centennial neighborhoods.

Thirty acres of the proposed downzoning, including Wallace's house, are clustered around the major thoroughfares of Southeast Powell Boulevard, Southeast Division Street and Northeast Glisan Street.

The reason Wallace's house is being downzoned: The David Douglas School District, in which the property is located, has too many students.

"David Douglas schools are overcrowded," says Eden Dabbs, spokeswoman for Portland Bureau of Planning and Sustainability. "While we're helping them catch up, we're going to concentrate growth in neighborhoods that already have amenities."

City planners have been working away on how to squeeze more people into Portland, but they also want to reduce the development allowed on a small fraction—some 2 percent—of the city's nearly 93,000 acres in favor of building in the core of the city.

The city is looking to increase density in the inner city—including in Richmond—and also along corridors such as Southeast Hawthorne Boulevard and Division and Belmont streets. So, in effect, the city will increase density—what some people call "upzoning"—in some areas while downzoning in others.

Wallace finds that difficult to swallow, because his property is right next to a large apartment complex and just three blocks from the MAX stop at Southeast 103rd Avenue and Burnside.

So-called transit-oriented development that allows people easy access to public transportation has been central to Portland's planning for decades.

Wallace acknowledges he's sore in part because the proposed downzoning would reduce the value of his property.

But there's an open question about whether it's necessary to sacrifice housing to limit overcrowding in nearby schools.

It's true David Douglas schools are crowded. From 1996 to 2014, enrollment spiked from 7,260 to 10,823, an increase of 49 percent.

Portland Public Schools enrollment shrunk about 15 percent over the same period as families shifted east to take advantage of cheaper real estate.

But the number of students in David Douglas fell slightly this year—by just over 1 percent—as it did in five of the six east Multnomah County school districts.

"Is that a start of a trend or a blip? We're at a moment when we're not sure," says David Douglas spokesman Dan McCue. "Nevertheless, our elementary schools are at capacity, and our projections suggest it's just a blip."

David Douglas needs both for more affordable housing and less crowded classrooms.

"We're at a catch-22 right at the moment," says David Douglas School Board member Frieda Christopher, who, along with district Superintendent Don Grotting, lobbied city officials to reduce development of new housing in her area.

Schools are currently so crowded the district reports 70 students in middle school gym classes, four to six lunch periods in elementary schools, and projections that two elementary schools will hit 800 students—200 more than the buildings can handle—by 2035.

While still cheaper than other parts of the city, rents are climbing in East Portland—in outer Southeast, according to Multifamily Northwest, the rent charged per square foot rose nearly 7 percent in just the six months between September and March.

The city's leading demographer says population around David Douglas will grow no matter what.

"If David Douglas has a lull in enrollment growth, they still won't have a lot of breathing room," says Charles Rynerson, of the Population Research Center at Portland State University, who still projects that an uptick in building will fuel growth now that the recession is over.

Gentrification of the central city has pushed Portlanders east to David Douglas, and it might seem logical just to build new schools to accommodate the growth.

Easier said than done. In David Douglas, where 76 percent of students are poor enough to qualify for free or reduced lunch, bonds are more expensive for homeowners to finance because there are fewer commercial properties in the district and lower home values.

"There's a limit to what voters can pay," says Courtney Wilton, a former director of administrative services at David Douglas. "There's no magic pot of money for school districts looking to build schools."

In August, the Portland Planning Commission will vote on the plan to downzone the 30 acres that include Wallace's property before it goes to the City Council for final approval.

The Portland Mercury

Did Larry O'Dea's Shooting Mistake Get Special Treatment?

By Ashley Anderson

June 1, 2016

IN EARLY 1997, Steven Gomez was playing with a shotgun in bed when he mistakenly shot his wife. A police officer in Portland's East Precinct, he was placed on paid administrative leave immediately as the bureau sorted out what had happened.

The following year, another off-duty Portland police officer, John Kuechler, went to a high school football game in Sandy. While trying to stop a fight after the event, Kuechler shot a man in the neck. He was given a mandatory three-day paid administrative leave, and ordered to undergo counseling.

Nearly a decade later, off-duty Sergeant Greg Stewart shot through the front door of his home in a Scappoose subdivision, killing a drug-addled man holding a gun outside. "Stewart remains on paid administrative leave, a routine step pending the outcome of the investigation," a story in the Oregonian reported days after the shooting.

Shootings by off-duty police officers are a rarity in Portland. Over the last two decades, these are the only three examples sources could identify of cops shooting people while off the clock (there's at least one additional instance involving a dog being shot). The incidents all have marked differences from each other, but in every case there's a constant: The officer in question was placed on leave as the police bureau looked into what happened.

Now, of course, there's an infamous fourth shooting to tack onto the list. On April 21, Police Chief Larry O'Dea was on a camping trip with friends in Southeastern Oregon when he mistakenly shot a friend named Robert Dempsey in the lower back. The group had been sitting in lawn chairs, shooting at ground squirrels.

At this point, it's hard not to see the mistake ending O'Dea's three-decade career in the Portland Police Bureau (PPB)—particularly since evidence emerged last week that he was likely intoxicated when he fired the shot, and lied to a Harney County deputy about how Dempsey was injured. O'Dea is eligible for retirement, which would give him a way to leave city employment relatively painlessly.

Regardless of the ultimate outcome, though, it's worth looking at how the treatment of O'Dea's costly gaffe differs from every other off-duty police shooting we've been able to find: O'Dea wasn't immediately placed on leave, as has been standard practice in other cases. That's a big deal in a police bureau that talks about all officers upholding the same high standards.

"The rules of the Portland Police Bureau, the policies and procedures of the Portland Police Bureau, apply to everyone across the board, whether it be the chief of police or the newest recruit," says Daryl Turner, president of the Portland Police Association, the city's rank-and-file police union. "That's the way it should always be."

While other cops were taken off the job immediately after shooting someone, O'Dea was told not to come to work on May 24—almost exactly a month after the PPB's Professional Standards Division quietly began investigating his errant shot.

"Each of those is a little different from one another, and different still than the chief's reported incident," PPB spokesperson Sergeant Pete Simpson said when asked about O'Dea's treatment compared to other officers'. "But I don't know of any instances where a person who has shot a person, on- or off-duty, was not placed on administrative leave. Bear in mind that I can only go from memory."

To be clear, there is no rule mandating that officers must be placed on leave after shooting somebody. The city's administrative rules say bureau directors "may" put employees on leave for up to 60 days in the case of an investigation that could result in their being fired.

"The decision to place an employee on administrative leave is discretionary," says Portland Human Resources Director Anna Kanwit. "Placement is up to bureau directors, or if it involves a bureau director, then the decision is made by the commissioner in charge, in this case the mayor."

Mayor Charlie Hales, the city's police commissioner, didn't just buck convention by not ordering O'Dea off the job while everything got sorted out. He didn't even bother to let the public know

it had occurred. Only after Willamette Week reported the shooting on May 20 did the mayor's office acknowledge it had known about the incident since April 25.

Hales' chief spokesperson, Sara Hottman, has said the mayor's office followed routine by not announcing the conduct of an off-duty cop who hadn't been arrested or charged with a crime. Even if that's true for some off-duty conduct, it hasn't been the case in off-duty shootings. And in no other incident that we could find did it take charges, or an arrest of the cop, for that officer to be placed on leave. In fact, O'Dea was allowed to report to work every day, keeping up appearances as if nothing had happened.

And there's another questionable facet to how the city handled news of O'Dea's shooting. The PPB insists that it followed its own directives for when cops come under investigation in other agencies. Simpson says Assistant Chief Mike Crebs was made aware of the incident on April 25, just like Hales.

While O'Dea freely admitted his role in the shooting to Hales—and presumably informed Crebs of it as well—and though the police bureau launched an internal investigation into the incident immediately, no one bothered to tell Harney County investigators O'Dea was the shooter.

According to an incident report that surfaced last week, the Harney County Sheriff's Office had no indication O'Dea was the shooter until May 14, when a deputy learned it from Dempsey, the victim. A glassy-eyed O'Dea had claimed directly after the shooting that he was off opening a fresh drink when he heard his friend begin groaning as if he had been shot, the report says.

That's not what O'Dea told Dempsey.

"Mr. Dempsey informed me that his friend Mr. O'Dea called him after the incident and was very emotional and apologizing for shooting him," the report reads. "Mr. Dempsey said that is when he found out that Mr. O'Dea shot him."

Harney County immediately turned the investigation over to the Oregon State Police. The Oregon Department of Justice has since launched an investigation, as has the city's Independent Police Review.

But Harney County authorities would have learned of O'Dea's involvement a lot sooner if Portland cops had mentioned it. Asked about why they hadn't, Simpson responded only that he was unaware of any direct contact between the PPB and Harney County Sheriff's Office, other than a "courtesy email" he sent the office containing the statement he'd released to media when the shooting became public.

All of this has rankled those who have dealt with how Portland typically punishes their cops. Remember the incident we mentioned earlier where an off-duty cop shot a dog? That cop was John Hurlman, and he took a voluntary two-week leave following the 1997 shooting.

"What really gets my goat here, is that he kept this quiet for ONE MONTH!!!" Hurlman's wife wrote on Facebook following the O'Dea shooting, according to the Oregonian. "If an officer had a 'negligent discharge' with a hunting rifle that endangered the life of a friend, he would have been pulled out of his assigned duty."