

The Oregonian

City-hired team to monitor Portland police reforms seeks separation from community board

By Maxine Bernstein

July 14, 2016

The city of Portland's unique attempt to have community members work with outside consultants to monitor federally mandated police reforms has unraveled, a year and a half into its creation.

Chicago-based academics Dennis Rosenbaum and Amy Watson no longer want to lead the Community Oversight Advisory Board. In fact, they don't want to be involved with the board at all.

This week, they petitioned the city and U.S. Department of Justice to amend the settlement agreement to allow them to pull out.

The seven-page separation proposal that Rosenbaum and Watson wrote reads like a divorce petition.

Their relationship with the community board is so damaged that it "prohibits restoration," following more than a year of "ambiguity, disrespect and willful undermining" of their authority to run the board, it said.

They cited continuing confusion surrounding how independent the board is supposed to be, and feel certain board members are trying to usurp their power. They also complained that the police officers who are non-voting members of the board do not receive the respect they deserve by other board members. Board meetings have dissolved to a point where members of the public are labeling some members as "fascists," "Nazis," and "pigs," they wrote.

Rosenbaum and Watson complained that they have "taken the brunt" of board members' frustrations about the lack of response by the U.S. Department of Justice, Mayor Charlie Hales or former Police Chief Larry O'Dea to a host of recommendations the board passed on police use of force, use of the stun gun and other policies, "even though we have not been the source of such delays."

"While we did not select members of the COAB, nor were we involved in designing the process to select them, we are nonetheless responsible for the functioning," of the board, Rosenbaum and Watson wrote.

Citizen members of the board aren't surprised. Nine of the 10 members who have not quit and remain on the 15-member board don't want Rosenbaum and Watson to lead their meetings or even select a person to chair the board, believing the chair should be one of the board members. The former chair, Kathleen Saadat, resigned at the end of June.

But even more striking, many board members are now suggesting a federal judge appoint an outside monitor to assess the progress of reforms.

"This particular model isn't the one to work well in Portland," said board member Avel Gordly, a former state senator. "What is working well in other cities, including Seattle, is having a court-appointed monitor. I know I'm not alone in suggesting that."

Civil rights attorney Tom Steenson, who won million-dollar lawsuits against the city on behalf of the families of James Chasse and Aaron Campbell who died in Portland police custody, said Seattle has been quicker to adopt changes to its police practices and believes it's because a court monitor was appointed at the outset of the federal government's consent decree in 2012.

"We're making if any progress, very slow progress," Steenson said.

Los Angeles-based police consultant Merrick Bobb, director of the Police Assessment Resource Center, was appointed by the federal court to serve as the Seattle police monitor following a 2012 consent decree between Seattle and the federal Justice Department to curb use of excessive force and avoid biased policing. He was asked to conduct 15 formal assessments of different areas of the consent decree, aimed at determining if new policies and procedures adopted by Seattle police are being followed.

Former Mayor Sam Adams clearly tried to avoid having a court-appointed monitor at the time the city reached a settlement agreement with federal Justice officials, instead adopting a different approach that was described as unique – a community advisory board and a city-hired compliance officer.

Saadat, before leaving, wrote a 21-page report on what she learned from the process and mistakes that were made. She cited lack of clarity from the beginning on the board's role and mission, as well as a lack of support from the city and Police Bureau.

"Some members of the PPB do not appear to have accepted the reality of the Settlement Agreement," Saadat wrote. "I have spoken with several who do not seem to understand that while the inappropriate behaviors may not be their own, as members of PPB, they are responsible to help shape a PPB with improved relationships to Portland residents."

The former board chair described a vacuum in leadership from City Hall and the Police Bureau.

"There is no inspirational leadership (by definition a consistently visible advocate) at City Hall, championing police reform...There does not appear to be inspirational leadership at the PPB (by definition a consistently visible advocate)," Saadat wrote. "PPB does not appear to have the skill set to facilitate the art/science of institutional transformation."

Rosenbaum and Watson have suggested the city, U.S. Department of Justice, Portland Police Association and Albina Ministerial Alliance reconvene to amend the settlement agreement. They also suggest the community board halt meeting until those involved in the settlement agreement can craft a better way forward.

Lawsuit to end homeless camping dismissed, but attorneys plan to refile

*By Emily E. Smith
July 13, 2016*

A Multnomah County judge on Wednesday dismissed a lawsuit filed by business and neighborhood groups seeking to end Mayor Charlie Hales' policy that allows tent camping and sidewalk sleeping.

The lawsuit asked the court to stop the widespread camping that's been tolerated in Portland since Hales in February authorized a new "safe sleep policy" as a six-month experiment in the city's effort to cope with homelessness.

Judge Marilyn Litzenberger's dismissal without prejudice allows the plaintiffs to refile their case in the coming weeks. She said their amended complaint needs to make clear how Hales' policy affects them.

The list of plaintiffs includes the Portland Business Alliance, the Building Owners and Managers Association of Oregon, Central Eastside Industrial Council, the Overlook Neighborhood Association, the Pearl District Neighborhood Association and Cartlandia, a food-cart pod located along the Springwater Corridor.

Attorney Paul Conable, who represents the plaintiffs, told the judge he'd not included those details because he wanted to keep the focus on Hales' policy instead of the most vulnerable people in Portland. But his clients could offer plenty of examples to show how the policy is hurting them, he said.

The plaintiffs' complaint calls Hales' plan "impractical" and "irrational," with no chance of solving the city's homelessness crisis.

"Telling people to sleep on the streets is not humane," the complaint says. "In fact, it is the opposite of humane; as recent events have shown, the Mayor's Camping Policy has resulted in violence, unhealthy conditions, and pain and suffering for our most vulnerable residents."

Conable argued that Hales' policy is unlawful because it violates existing rules prohibiting tents and because Hales implemented the policy unilaterally without approval from City Council.

Chief Deputy City Attorney Harry Auerbach argued that Litzenberger should toss the case because the plaintiffs had raised a political question that the court had no authority to answer. The city, he said, may use discretion in enforcing laws that are on the books.

Auerbach further argued that the plaintiffs had not demonstrated how the mayor's plan had directly affected them.

"How has this policy exacerbated the problems of homelessness? That is not alleged in the complaint," he said.

City officials pursue plan to dramatically change oversight of Portland police

*By Maxine Bernstein
July 13, 2016*

Oversight of Portland's police force would change dramatically under a proposal being considered by city officials that hasn't been vetted publicly.

The biggest change would strip the 11-member Citizen Review Committee of its ability to hear public appeals of the Portland Police Bureau's findings stemming from complaints of alleged officer misconduct.

Instead, residents who file police complaints with the city could challenge a police supervisor's findings and make their concerns heard at the front end, before a Police Review Board. The

board recommends to the police chief whether to sustain a complaint and, if so, suggests the level of discipline that should be imposed.

The Police Review Board, which ranges from five to 7 voting members and includes an assistant chief, peer officer, the officer's commander or captain, the Independent Police Review Division director and a citizen member, now meets behind closed doors at the Police Bureau. It would add more citizens as voting members and likely continue to meet out of the public eye.

"Council asked the Police Bureau and the Auditor's Office to draft a plan for a consolidated model that keeps the best of the Citizen Review Committee and the Police Review Board," City Auditor Mary Hull Caballero wrote to committee members this month.

The idea took form after seven meetings over a four-month period by staff in the mayor's office, the city attorney's office and selected community members. The meetings of this so-called focus group were held in response to the U.S. Department of Justice's finding in May 2015 that the city needed to improve its police accountability system, or it would be out of compliance with a settlement agreement reached in court.

The proposal hasn't been discussed publicly, and any changes would require City Council approval as well as potential city code charter changes.

But city officials, including the city auditor, are pushing for changes to be adopted quickly, noting that the U.S. Department of Justice is scheduled to provide a written progress report on the city's police-related reforms in September. In October, all parties to the settlement agreement are set to appear before U.S. District Judge Michael Simon for an annual status conference.

The city's effort comes as another committee, which has met publicly, also is recommending substantial changes. The Community Oversight Advisory Board's accountability subcommittee wants the city's Independent Police Review Division to conduct all investigations into police use of force, removing that work from the Police Bureau's internal affairs division. This committee also is advising that the city hire a police auditor, who will regularly analyze and report on police stops, use of force, arrests and other public safety data.

There's little dispute that the current police oversight system isn't working. Federal justice officials described it as byzantine and difficult to understand.

"The process as it exists, all be it well-intentioned, is not being fair to officers and unquestionably not being fair to citizens," said James Young, who was one of two community members who participated in the focus group and who serves on the Citizen Review Committee.

Some focus group members expressed dismay that the city would lose the "community piece" of the meeting, and that holding all the citizen complaint hearings before a Police Review Board would eliminate what's been a "relatively open process," according to meeting minutes.

Young said he advocated for a revamped Police Review Board to meet in public, "to the extent that the law allows."

Officers and community members who have sat on the Police Review Board have praised how the results of an investigation are presented, how officers whose actions are under review are allowed to provide input, and appreciate the training division's analysis of the incident.

"The problem is the public never gets to see it. How do we take that very good approach and craft it so there could be meaningful public involvement? That issue needs further development," Young said.

The model city officials are pursuing, however, would keep those Police Review Board meetings closed to the public. Yet the city auditor has argued for greater transparency, possibly through more frequent reports on action the board takes. The board currently issues reports twice a year, but they're difficult to understand, leaving out specifics of each case and officers' names.

"There could be some immediate reporting out of what occurred as close to the hearing as possible," the auditor said.

Hull Caballero also suggests that the number of community members on the board be increased, and that their votes outnumber those of police officers on the board, "given that the Chief makes the ultimate decisions about discipline." She wants to find some way for board members to report concerns that might arise about the integrity of the process, as long as it doesn't compromise an employee's right to confidentiality.

"As the City Auditor, my goals for the new entity are that it strikes a balance between confidentiality and transparency," the auditor wrote in a July memo.

"The system has to work for officers and the public," Hull Caballero added. "There's no perfect solution."

Under the proposed model, members of the Citizen Review Committee would have the opportunity to sit on the Police Review Board. But as a committee, its members would no longer hold public hearings for citizen appeals of police findings on misconduct complaints. The committee, though, would continue to discuss and recommend police policy changes.

Those who participated in the focus group meetings include Mark Amberg, deputy city attorney; Constantin Severe, director of the city's Independent Police Review Division; Deanna Wesson-Mitchell, the mayor's public safety policy liaison; Police Capt. Derek Rodrigues, then-head of internal affairs; Internal Affairs Lt. Erica Hurley; Officer William Ollenbrook; Young and the Rev. T. Allen Bethel, board member of the Albina Ministerial Alliance.

Though city officials appear to be pursuing an expanded Police Review Board model, the focus group that met with the mayor's staff came to agreement on some matters but really didn't propose a specific plan to pursue, Young said.

They did agree on some general changes: All citizen complaints should be investigated. Some low-level allegations that would not necessarily draw discipline should be funneled to a police supervisor for investigation, such as complaints about officers' rudeness or lack of courtesy. Findings on allegations of misconduct should be limited to either substantiated or unsubstantiated, or founded or unfounded complaint, according to written minutes of the group's meetings.

The Portland Tribune

Homeless camping lawsuit dismissed, new shelters planned

By Jim Redden

July 14, 2016

Two days after Portland business leaders praised Portland and Multnomah County leaders for planning to open more homeless shelters, a county judge dismissed a lawsuit they supported to reinstate city restrictions on homeless camping.

The suit is expected to be refiled in coming weeks with examples of how homeless camping is harming those who filed the suit. They include the Portland Business alliance, which has been running a social media campaign with an online poll urging the city to reinstate the homeless camping restrictions Mayor Charlie Hales eased after the City Council declared a housing state of emergency last October.

On Monday, the campaign, called PDX Can Do Better, sent out an email urging supporters to thank city and county leaders for recently creating the Joint Office of Homeless Services that is working to open three new homeless shelters — one in the Southeast Portland, one in Northeast Portland, and one in Gresham for women and children.

Although some neighbors in Southeast and Northeast Portland oppose the new shelters, the PBA says they are better than allowing the homeless to sleep outdoors.

“Additional indoor shelters will give vulnerable people an alternative to camping on our streets and in parks and open spaces,” says the email, which includes a link to the campaign’s website at pdxcandobetter.com.

But on Wednesday, Multnomah County Circuit Court Judge Marilyn Litzenberger dismissed a suit filed in April by the PBA and others claiming the City Council did not formally approve Hales’ decision to ease up on the city’s existing camping restrictions. Litzenberger dismissed the suit in large part because the plaintiffs had not shown they were harmed by the camping in their filing. She left them the option of refiling the suit with such specifics, however, which is expected to happen.

The other plaintiffs include: the Building Owners and Managers Association of Oregon, the Central Eastside Industrial Council; the Overlook Neighborhood Association; the Pearl District Neighborhood Association; and Cartlandia, a food-cart pod located along the Springwater Corridor, where a large homeless camp exists.

To read a previous Portland Tribune story on the homeless shelter planned for the county-owned Hansen Building in Southeast Portland, visit portlandtribune.com/pt/9-news/313545-192235-hansen-building-to-become-shelter.

Willamette Week

East Portland's Springwater Corridor May Now Be the Largest Homeless Camp in the United States

The line of tents along the bike path has grown exponentially in the past six months.

*By Rachel Monahan and Thacher Schmid
July 13, 2016*

A nearly two-mile stretch of bike trails and former wilderness now serves as home to hundreds of Portland's homeless—making it the largest encampment in the Pacific Northwest and possibly the nation.

The Springwater Corridor has been a center of homelessness in East Portland for years, but the line of tents along the bike path has grown exponentially in the past six months.

On July 5, one day after a shooting sent a man to the hospital, *WW* visited the Springwater Corridor and counted 188 structures—tents, shanties, and lean-tos—between the food cart pod Cartlandia on Southeast 82nd Avenue and Beggars Tick Wildlife Refuge on Southeast 111th Avenue.

Advocates estimate the Springwater Corridor is home to as many as 500 people every night, most of them concentrated in that two-mile stretch.

It's likely the largest camp in the Northwest and possibly the nation, since Seattle cleared out much of their largest unauthorized homeless camp, the Jungle. An official count of the Jungle in May found 201 tents and more than 336 people living along two miles. It's now down to around 200 people, say advocates.

The dubious distinction of largest homeless camp in the country previously fell to a camp in California's Silicon Valley. When that camp was cleared in 2014, it had 278 people.

(Advocates say the area of downtown Los Angeles known as Skid Row has a much larger concentration of homeless people living outdoors than any site in Portland. But L.A.'s downtown district, with its mix of social services and people sleeping on sidewalks, doesn't fit the traditional definitions of a camp or tent city.)

Official numbers are hard to come by for the nation's largest homeless camp, and some advocates dispute whether the Springwater's two-mile stretch should be considered a single camp or multiple camps. Often there's only an official number after a sweep.

"Once they get to that size, they inevitably get swept like the Hooversville of old," says Paul Boden, executive and organizing director of Western Regional Advocacy Project, a San Francisco-based group that supports the homeless.

"Being by yourself and hidden, which is what's expected of you when you're homeless, leaves you really vulnerable," Boden says. "Like anybody else, homeless people tend to congregate, but that's illegal."

But in Portland, Mayor Charlie Hales in February legalized camping in tents on city property in groups of up to six people. Parks were supposed to be forbidden for camping under the policy.

The city has conducted several small sweeps along the Springwater Corridor, but has to yet to disperse the largest camps there, despite the fact that camping on the bike path violates both of Hales' policies. Instead, the city launched a months-long process to figure out what to do.

There's been little progress on figuring out where Springwater residents should go.

A similar problem is facing Seattle, where officials threatened a full sweep of the Jungle, but backed off. There are two hundred people remaining there, says Timothy Harris, founding director of Seattle's newspaper for the homeless, *Real Change*.

"'Outreach to where?' is the recurring phrase around here," says Harris. "Unless you have services and housing to offer people in a timely way it doesn't help a lot."

The last official count of the Springwater was in April, say city officials. The Portland Police Bureau estimated 141 dwellings along the Springwater. They didn't count people, but one advocacy organization estimates from its outreach work in the area that there are far more people now than dwellings.

"I have heard estimates as high as 500 people living on the Springwater," says Tony Bernal, Director of Funding and Public Policy at Transition Projects.

There is a collectivist mentality along the trail, one self-described "mouthpiece" for the camps says.

"We give a shit about each other," says Crash Anarchy, a Springwater camper, former aerospace steelworker and self-appointed spokesperson for "The Headquarters," the largest of grouping of tents. "A lot of people don't realize the kind of community we have down here. We finally have a spot where we can live safely."

Anarchy—one of a disproportionate percentage of homeless people who are transgender—wore a *V For Vendetta* mask during an interview with *WW*. Anarchy took a break from epoxying a cracked bong to show off a "minimalist" tent that's been home for five and a half years in the area.

A neighbor's tent features five-foot sunflowers in a lovingly tended garden. Other sites incorporate heavy furniture and bark dust paths.

Many in the camps diligently clean up, and use city-sponsored dumpsters and porta-potties, but there are also piles of garbage and a fleet of shopping carts. Campers tell stories of barely containing dangerous fires.

A neighbor, Tom Alvarado, says the situation is becoming "crazy ... apocalyptic," with feces left on the bike path and aggression towards passersby.

It's unclear how many people and how many different agencies it would take to sweep or relocate the Springwater camp. Previous sweeps have moved campers east. A thicket of governmental agencies and work groups has grown around the Springwater, running into opposition from neighborhood associations to the creation of any sanctioned camps.

Shannon Singleton, executive director of housing nonprofit JOIN, believes there may be a future opportunity to relocate people into a city-sanctioned, self-governed camp in a safer location.

"I'm hopeful that there's going to be options that look like a Right 2 Dream Too and a Dignity Village, and aren't necessarily mass, facility-based shelter," Singleton says, "that we've got a range of options for folks where they can get a safe night's sleep, but not be tied to it being kind of the traditional [shelter] model."

The Mercury

A Lawsuit Against the City's Camping Policy Has Been Tossed—For Now

By Dirk VanderHart

July 13, 2016

A Multnomah County judge tossed a lawsuit against Mayor Charlie Hales' months-old camping policies this morning, but that doesn't mean the issue's resolved.

Instead, Judge Marilyn Litzenberger dismissed a case brought by the Portland Business Alliance (PBA), Central Eastside Industrial Council (CEIC), Overlook Neighborhood Association (OKNA), and other entities with an understanding another will be filed in its place—this time with more specifics.

At issue is a "safe-sleep policy" Hales' office introduced in February. It was a first-of-its-kind approach to homelessness in a city that's long swept campers, because it laid out ways people might be able to camp without fear of being pushed along. The policy included provisions for sleeping on sidewalks in small groups, and for setting up tents on "remnant" properties, so long as they're taken down by 7 am.

While advocates for the homeless cheered the move, some business and neighborhood groups in town were enraged. They filed suit a couple months after Hales unveiled the policy, alleging the mayor didn't have the authority to enact what they're calling a "zoning ordinance" without a city council vote, and that it runs afoul of state law. The plaintiffs—which include the PBA, CEIC, OKNA, Downtown Clean and Safe, the Oregon Restaurant and Lodging Association, the Building Owners and Managers Association of Oregon, and more—are asking a judge to rule Hales' policy is illegal.

"Were you to do that.. our lawsuit would disappear," Paul Conable, the attorney representing the plaintiffs group, said this morning.

But Conable had a problem. The suit he filed in April didn't state how any of his clients had been specifically harmed by Hales' camping ordinance.

"You've gotta have a present or real problem or injury," Chief Deputy City Attorney Harry Auerbach told Litzenberger. "You can't have something that's hypothetical. What they're asking you to do is simply say this policy is no good."

Litzenberger ultimately agreed, sustaining the city's motion to toss the case. But she did so with the explicit understanding that Conable would be filing another, amended suit within days. He suggested in court he'd have no problem showing his clients have been harmed.

"We made a choice because of the focus of this case not to wave the bloody shirt," Conable said. "The focus of this case is not on punishing people who, frequently through no fault of their own, are living on the street. Were we required... we would tomorrow submit an amended complaint that detailed with photographs the kind of details that anyone whose been living in Portland during the past six months have probably seen first-hand."

Here's the thing, though. That might not ultimately matter. The whole case could be a waste of time for a couple reasons.

First, Auerbach suggested that Conable and his clients would have no way to concretely tie Hales' policies to any negative outcomes. After all, homelessness has been an issue in the city for decades. Even with common agreement that the problem's grown worse recently, much of that was already happening prior to the mayor's policy.

Conable responded he'd happily give it a shot.

More basically though, Auerbach suggested that, even if a judge ruled Hales' policy was illegal today, it wouldn't necessarily lead to any changes on the part of the city. A big part of the city's argument in the case is that choices for dealing with homelessness are a political question, and shouldn't be up to a judge.

"We're talking about a problem that exists irrespective of what's done to fix it," Auerbach told the *Mercury* after the hearing. "We've got to give directions to police as to how to deal with that problem."

Those directions likely wouldn't suddenly switch, should the safe-sleep policy be ruled illegal, Auerbach said.

Conable conceded that that might be true, but noted that the city's actions "*can't* change as long as the policy is in effect."

But there's another aspect to all this: Hales' waning time in office.

Mayor-elect Ted Wheeler has made it pretty plain in recent weeks that he disagrees with the current mayor's approach to homeless camping. It would be less than surprising, then, if Wheeler snatches the strategy off the table come January.

Given that, we asked Conable if the whole legal fight was worth it.

"We'll see," he said.

The Daily Journal of Commerce

New city website aims to make connections

By Beverly Corbell

July 12, 2016

Barb Anderson, principal with Convergence Architecture, believes a new website launched by the city of Portland will help woman-owned firms like hers.

"I think it's one more resource to make connections," she said. "It's just now ramping up and it's hard to tell if we've gotten results because people may see it and contact you separately," she said.

The site, called **Talentwell**, already has a number of opportunities posted. Anderson hopes it will bring her firm more business.

"I think it could work, but it will take time, like most things," she said.

According to the Talentwell website, it provides a "customizable open database" that allows architecture and engineering firms to "shop" for qualified disadvantaged, minority-owned or

woman-owned business enterprises (DMWBEs). Members can access public or private business opportunities as well as networking tools and educational resources.

“It’s almost like a LinkedIn for architects and engineers,” said Anne Mangan, spokeswoman for the Bureau of Development Services.

About 60 firms – either DMWBEs or contractors looking for such firms to fill roles on projects – have signed up, Mangan said, and she hopes more will do so.

“The city has the Portland Building (renovation) project posted on there and we’re encouraging other city bureaus to sign up,” she said. “The goal is to make business matches and the underlying goal is to encourage partnerships and meet social goals as well.

“Our goal is to double the (membership) signup. It has a healthy representation of companies and projects, and we hope to make it better in terms of coverage. An additional goal is for firms to really check it regularly.”

KPFF Consulting Engineers marketing manager Jinae Linsenmeyer said her firm has signed up on Talentwell.

“Since we are not a diverse firm, we do frequently partner with minority contractors in all kinds of disciplines and we want to find more of these types of businesses,” she said.

City contracts often require contractors to use at least a certain percentage of minority-owned firms as subcontractors, said Marianne Larkin of Marianne Larkin Landscape Architects, and Talentwell can help firms meet that goal.

“When there are requirements from the (Portland Development Commission) to have DMWBEs, some (firms) don’t know where to find them,” she said. “Now there are no excuses, and I think that’s what the city is trying to do: make it easier for people to find (DMWBE) firms.”

Larkin said she hopes that Talentwell is successful in attracting both DMWBE firms and non-DMWBE firms.

“I think it will work if people use it,” she said. “Like any of these things, you can’t mandate it, but what they’re trying to do is make more visible those that are DMWBE firms,” she said.

The Portland Business Journal

Portland formally joins Monsanto PCB lawsuit

July 14, 2016

The city of Portland has joined a case that charges Monsanto favored "profits over ecological and human health."

Portland becomes the eighth American city to file against Monsanto. The case relates to PCBs, of which Monsanto "was the sole U.S. manufacturer," according to a release touting the case.

The city began exploring whether to join the suit earlier this year. Two-thirds of those responding to a PBJ poll on the issue said Portland was justified in taking legal action.

"Portland's elected officials are committed to holding Monsanto accountable for its apparent decision to favor profits over ecological and human health," said Tracy Reeve, Portland's city attorney, in a release. "Monsanto profited from selling PCBs for decades and needs to take responsibility for cleaning up after the mess it created."

Portland joins the California cities of San Jose, Oakland, Berkeley, San Diego and Long Beach, along with Seattle and Spokane, in filing the case. The city filed the matter in U.S. District Court.

The city "has spent and will continue to spend significant public funds as a result of PCB contamination in the Willamette River and Columbia Slough," wrote Baron & Budd, a law firm contributing to the cities' case.

From the release:

Monsanto was the sole U.S. manufacturer of PCBs, which are harmful to fish, birds and other animals. They are known carcinogens and present other health risks to humans, including damage to immune, reproductive, nervous and endocrine systems. Monsanto manufactured over 1 billion pounds of PCBs between the 1930s and the 1970s, when Congress banned PCBs because they are so dangerous. Monsanto's own documents show that Monsanto continued to sell PCBs long after it knew of the dangers they presented to human health and the natural environment.

In the meantime, the St. Louis Business Journal reports that Bayer has upped its offer to buy Creve Coeur, Mo.-based Monsanto.