

The Oregonian

Don't Shoot PDX protesters shut down Portland City Council meeting

By Andrew Theen

October 5, 2016

Portland Mayor Charlie Hales cancelled a City Council meeting Wednesday amid a "continuing disruption" from a group of protesters with Don't Shoot PDX.

Hales rescheduled the meeting to 1 p.m. Thursday, but his office said it would be held behind closed doors with "limited" public access.

Tera Pierce, Hales' chief of staff, said the meeting is legal as long as the general public can listen in or watch. "We will provide that," she said.

The protesters had disrupted Wednesday's meeting before the council could hear testimony for the second consecutive week on a new contract with the city's rank-and-file police union.

As of 2:30 p.m., City Hall remained on lockdown with police throughout the building. A couple dozen protesters were still sitting inside the darkened council chambers. Two people were arrested, officials confirmed. Shortly after 3 p.m., a Facebook Live stream showed protesters leaving the chambers and then City Hall.

Brendan Finn, Commissioner Dan Saltzman's chief of staff, said the council took a recess after frequent council attendee Joe Walsh interrupted public testimony by shouting at the elected officials.

The council called a recess, then briefly returned in an attempt to reconvene. Finn said a couple protesters were then arrested.

"I'm not entirely sure what happened then," Finn said.

Pierce said the mayor's office was aware of the protest. She said activists had planned to occupy City Hall. Some had arrived with coffee. They advertised the event on Facebook.

"We knew it was coming," she said.

Police leaders and Hales' top staff had met in recent days with Don't Shoot PDX members, Pierce said. They had gone over the police contract and the group's concerns "almost line by line," Pierce said.

Pierce said the mayor's office was "optimistic" it could avoid disruptions Wednesday.

Police would receive pay raises under the three-year deal. But the activists opposed draft language for a body camera policy, which was developed behind closed doors in recent weeks, and other provisions.

Wednesday afternoon, a few dozen people tried but failed to enter City Hall.

Some came to testify on later agenda items, including the city's 20-year plan for growth and development. Others said they were just trying to buy coffee from the City Hall café. City employees, a pizza delivery man and several journalists also failed to get in.

Outside, about 10 people said they would stay until the two arrested activists were released. One woman rang a cowbell in an attempt to annoy the lone security worker left inside the City

Hall lobby. Others pumped their fist in support as protestors still inside the chambers looked out the window onto SW Fourth Avenue.

Pierce said Hales' office plans to move forward with Thursday's meeting but it will largely be held behind closed doors. The council meeting will be live-streamed on the internet, on public-access television and in the nearby Portland Building's auditorium on the second floor.

Protesters and other citizens who signed up to testify on the police contract and other council matters will be allowed into the chambers to speak to the council.

But the general audience will be limited, Pierce said, with the blessing of the city attorney. Portland State University trustees moved a March vote on a controversial tuition hike behind closed doors after a protest.

Portland State University student activists and supporters shut down the Board of Trustees meeting on Thursday.

The public comment period, which was interrupted Wednesday before each person who had signed up weeks in advance to testify, will continue as planned.

One of those folks signed up to testify, David Kif Davis, will be invited back to council chambers.

Davis was one of two people arrested Wednesday and booted from City Hall for 24 hours.

"He was excluded today, and he was arrested today," Pierce said, "but he gets to come back tomorrow."

The Portland Tribune

With police contract in the balance Mayor Hales urging public to help line up votes

By Nick Budnick

October 6, 2016

As the Portland City Council draws closer to voting on a controversial new police contract, staffers for Mayor Charlie Hales have been urging neighborhood associations to contact his fellow elected city commissioners to express support for the deal -- one Hales staffer even providing a sample letter to send in.

Politicking to create a show of support for a city measure is hardly new. But for a city elected official to engage in it so openly in a seemingly coordinated way does not frequently become public. To some City Hall observers, the effort raises the question of whether the outgoing mayor has fully locked down the three votes he needs to approve the contract, which he has made a priority in his waning days.

Hales spokesman Brian Worley downplays the effort, as "typical political organizing" and not unusual. "From our office's perspective we were just trying to get information out to folks."

It also was an attempt to tip the scales of what commissioners were hearing from the public. Worley noted that the in recent weeks media coverage has been dominated by the "loud voices" of police critics such as the group Don't Shoot PDX.

Indeed, the activists have made their presence known at City Hall over the last few weeks, causing some city employees to reportedly express concern over their personal safety.

The police contract is scheduled to be discussed today by the City Council in a highly unusual afternoon meeting that will exclude most of the public, following disruptions to the scheduled meeting yesterday that caused a City Hall lockdown after several protesters were excluded and arrested by police.

The proposed police contract would award 9 percent raises to police over the next three years, which supporters say would combat a worsening police staffing shortage that has seen response times decline and specialty units sapped.

Police critics and activists have called for the contract vote to be delayed until mayor-elect Ted Wheeler takes office in January, saying the city is not extracting enough in return for the raises. City Auditor Mary Hull Caballero and Independent Police Review Director Constantin Severe have echoed that call, saying the tentative contract needs changes.

Worley said the lobbying did not reflect concern over the outcome, as the mayor is confident the council will support the contract. The neighborhood associations contacted by Hales staff in an effort to mobilize support for the contract were those that had contacted the city about police service in recent months, which is most of them, he said.

Dan Handelman of Portland Copwatch has been tracking the mayor's lobbying, which has supplied the neighborhood groups with names and contact information for his fellow commissioners.

One example is a message posted online by the Montavilla Neighborhood Association. The posting related a phone call from a Hales staffer who "asked me to convey to neighbors that unless they Mayor's colleagues on city council join him to approve the tentative agreement he reached with the police union, that the problems being seen in Montavilla and city wide will grow worse as the city will continue to have less and less officers to provide service."

And on Oct. 4, Tom Peavey, a mayor's staffer assigned to the Office of Youth Violence Prevention and the Community Peace Collaborative that tries to discourage gang activity, sent out an email to various groups saying that "If you are submitting to others who wish to support the proposal City Police Bureau (Portland Police Association) Contract I am supplying the following template offered through the Mayor's Office."

The form letter says "Thanks to a lot of genuine pain and trauma created by police shootings elsewhere in our country, people in Portland have recently spoken loudly about the need for reform. That is good and helpful. What is NOT good nor helpful is that some of these advocates have seized on this new police union contract as 'the problem here' and are urging the City Council not to approve it."

Two arrested, council meeting disrupted by protest

By Pamplin Media Group

October 5, 2016

Two people were arrested Wednesday morning during shouting and a protest that disrupted Portland's City Council meeting.

David Davis, 46, and Laura Vanderlyn, 53, were taken into custody by police officers after the disruption began. They have been charged with trespassing. Davis is being held on \$1,000 bail at Multnomah County Detention Center. Vanderlyn was released.

The incident happened shortly before noon Oct. 5, as the City Council was beginning its regular session in the City Hall Council Chambers. Commissioners had just heard a presentation from A Home for Everyone, a work group tackling homeless issues for the city.

After the presentation, one man began shouting in the council chambers that he wanted to speak to the council about the report. Mayor Charlie Hales told the man that it wasn't a public hearing and that the shouting was out of order. The man continued shouting and Hales recessed the council meeting.

City Hall was put in lockdown. The council meeting was unable to continue, and was rescheduled to 1 p.m. Thursday, Oct. 6.

Also on the agenda was a new Portland Police Bureau contract, which has been opposed by Don't Shoot PDX. The group's Sept. 23 protest demanded that Hales decline to sign the new contract until Mayor-elect Ted Wheeler could take office.

The group is unhappy with terms of the contract because it doesn't address accountability issues.

After Hales and city commissioners left council chambers, about a dozen police officers and Homeland Security agents rushed to City Hall. The officers arrested Davis and Vanderlyn, but waited as Don't Shoot PDX members linked arms and stood quietly in the center of the meeting room.

At one point, Don't Shoot PDX protesters asked that the city put in writing that officers would not arrest its members. Hales sent a short note to the group, telling protesters that if order was restored and the council could continue meeting, no more arrests would be made.

After more than an hour, the doors to City Hall were still locked, but some officers started to leave. Roughly 30 protesters remained inside demanding the release of two people who had been arrested.

Protesters left City Hall by 3 p.m.

The Portland Mercury

Hall Monitor: A Police Reform Lube Job

By Dirk VanderHart

October 5, 2016

CITY COUNCIL chambers aren't a place where you expect to see much unanimity.

Sure, the council likes to aspire for those 5-0 knock-out votes that signal commissioners are in lockstep, but on many of the issues that have mattered most recently—homeless shelters, tax hikes, street fees, etc.—opinions differ.

Then there's the audience: a sensitive and patchwork cacophony urging commissioners every which way on any given piece of policy.

Until, that is, last Wednesday, when the council took up a proposed contract with the Portland Police Association, the city's largest police union.

The contract is a major focus of Mayor Charlie Hales' final three months in office. It'd raise officers' starting pay, which Hales says might be critical to address a police staffing shortage. It

would also do away with the much-hated 48-hour rule, which has been a constant goal of police oversight types.

And it's wildly popular with police. According to the PPA, a record number of officers took time to vote on the contract, and they elected to ratify it with 95 percent approval—another record.

Yet in the grandest show of unanimity that's swept council chambers maybe ever, everyone who showed up to speak on September 28 roundly despises the new police contract that's on the verge of passage.

Everyone.

For hours—during a block in the morning, and then again in the afternoon; both before the hearing was shut down because of crowd outbursts and after—person after person got up to urge city council to delay a vote on the contract. We're talking Black Lives Matter activists, at least one former state legislator, civil liberties groups, environmentalists, and more.

Some had highly specific critiques. They want the city to press harder for new contract provisions that make it easier to fire bad cops, and give independent investigators more power to look into complaints.

Some had general queasiness. They think Mayor-elect Ted Wheeler should be the one to usher in a contract, which he could then be held accountable for during his term. (Wheeler has signaled he's cool if Hales takes care of it.)

Some didn't even quite understand what the contract contained, but knew they were against it.

But they were unanimous! And it looks like they can expect a week-long reprieve for their trouble.

Hales, at the end of last week's hearing, announced he'd delay action on the contract while council mulled over all it had heard, and considered an amendment the mayor had offered.

"Council needs time to confer on the testimony we've heard today," the mayor told the crowd, which at times seemed moments away from a full-blown protest.

But as of Monday—the same day Portland's auditor sent a memo urging a delay to the contract—it didn't appear council needed all that much time to confer.

Hales told me he still has the votes to approve the agreement and that he didn't envision any further changes to the deal, nor much more citizen testimony. He also predicted contract negotiations would unravel if Wheeler tried to push substantive changes.

Then, dusting off a line he's used since he ran for mayor in 2012, Hales started talking about car maintenance. He recalled the old slogan that pleaded: "We don't want to change the world; we just want to change your oil."

"This is the oil change," Hales said. "There are a lot of other parts of the car that need to be fixed."

He might do well to keep an eye out for wrenches in the crowd when he tells that to the public.

Here's How Portland's Draft Police Body Camera Policy Stacks Up Against Other Cities'

By Dirk VanderHart
October 5, 2016

In this week's Mercury, we took a look at the city's draft policy [PDF] for police body cameras, and highlighted portions of the policy that deserve particular scrutiny as the effort goes forward.

We also wanted to compare Portland's nascent policy to body camera laws in other cities. So we got in touch with Washington, DC-based consulting firm Upturn, which in August released an audit of more than 40 cities' programs, and graded them on eight factors based on civil rights principles agreed on by dozens of organizations.

In partnership with the Leadership Conference on Civil and Human Rights, Upturn rated cities on whether:

- laws were transparent and accessible.
- officers had limited discretion on when they can press record
- victims and witnesses are duly protected
- cops are prohibited from viewing footage before a report
- departments are required to delete footage that doesn't capture anything of note
- there are safeguards against tampering
- complaining citizens can access the recordings
- biometric technology like facial recognition is limited

Cities that met expectations for a given category got a green check mark. If the expectations were partly met, they got a yellow circle. Policies that didn't address the factors or had bad policy got a red X. It looks like this.

Department <small>3: DOJ funded</small>	Policy Available	Officer Discretion	Personal Privacy	Officer Review	Footage Retention	Footage Misuse	Footage Access	Biometric Use
Albuquerque <small>3</small>	✓	○	×	×	×	×	×	×
Atlanta	×	✓	○	○	×	✓	×	×
Aurora	✓	○	○	×	×	×	×	×
Austin	✓	○	○	×	×	×	×	×
Baltimore	×	○	○	○	×	✓	×	○
Baltimore County	✓	○	○	×	×	×	×	○
Baton Rouge	×	?	?	?	?	?	?	?
Boston	×	○	○	×	×	×	×	○
Charlotte-Mecklenburg	✓	✓	○	×	✓	×	○	×
Chicago <small>3</small>	✓	✓	✓	×	✓	✓	✓	×
Cincinnati	✓	✓	○	×	✓	✓	✓	○
Cleveland	×	✓	✓	×	×	✓	×	×

The Mercury wondered how Portland's policy stacked up. It didn't do great.

The draft policy met expectations in just two categories, according to Upturn's Miranda Bogen. One category received a yellow circle. The rest got Xs.

At least one of those is a bit unfair. Portland's body camera policy doesn't specifically address biometric technology because it doesn't have to—the state's body camera law already prohibits it. Bogen said that doesn't matter.

"Because we believe part of the purpose of body cam policies is to provide transparency to citizens who may not know where else to look for information on body cameras, we'd like to see references to relevant statute in the policy at the very least," she wrote in an email.

Officials stress that the draft policy will change—maybe a great deal—before it's formally implemented. Portland hasn't even purchased cameras yet. Here's what Upturn had to say about the policy, as it stands today.

Makes the Department Policy Publicly and Readily Available [RED/x]

As you said, we don't know how available it will be — but given that there is public debate about it, the PD should be actively making it available already.

Limits Officer Discretion on When to Record [GREEN/Check]

The policy describes when officers should record, and requires officers to justify when they fail to record. Worth noting that the policy does not require officers to justify deactivating a camera early during an incident (unless it is for the purpose of interviewing a witness who does not wish to be recorded), which is a requirement we tend to like to see.

Addresses Personal Privacy Concerns [GREEN/Check]

The policy mentions situations where privacy interests should be considered, and also specifically gives officers discretion to deactivate recording when interviewing categories of vulnerable individuals (e.g., victims of sex crimes). (The policy does not make it clear if officers may deactivate or must deactivate in those cases, however).

Prohibits Officer Pre-Report Viewing [RED/x]

Officers are allowed to review footage before writing reports. While the policy mentions an exception in use of force cases or in-custody deaths that are being investigated, and notes that viewing in those cases can only be authorized by the Commander of Detectives or the Captain of Professional Standards (or their designee), it does not specify the conditions under which that authorization may be granted so there is no guarantee that a report will be written prior to viewing.

Limits Retention of Footage [RED/x]

The policy sets the retention period for unflagged video capturing standard calls for service at 180 days, which we do approve of. However, the policy does not explicitly mandate the deletion of footage or expressly say footage will be deleted automatically at the end of that period. The system may indeed delete footage according to that schedule, but we can't be sure given the policy language.

Protects Footage Against Tampering and Misuse [YELLOW/Circle]

The policy prohibits editing, deleting, copying and sharing of video, and prohibits viewing of video not related to officers' own incidents except for training. However, the policy does not note that access to footage is audited or logged.

Makes Footage Available to Individuals Filing Complaints [RED/x]

The policy references a public records request process but does not expressly allow individuals who are filing police misconduct complaints to view all relevant footage.

Limits the Use of Biometric Technologies [RED/x]

Does not address

OPB

2 Arrested At Portland City Hall During Protests Over Police Contract

*By Anna Griffin
October 5, 2016*

Protesters who oppose a labor deal with the Portland police union shut down a City Council meeting Wednesday.

Mayor Charlie Hales ended the meeting after people repeatedly interrupted and ignored his calls for order. A dozen or so police officers arrived shortly after.

Two people who refused to leave the council chamber were arrested for trespassing, but most of the protesters, with the group Don't Shoot PDX, were left alone by the police.

The council is scheduled to vote on the police union contract, which raises officer pay, next week. Protesters say the mayor didn't drive a hard enough bargain with the police union on accountability issues, and are calling on the council not to ratify the deal.

"We will definitely be here next week," said Micah Rhodes, a Don't Shoot PDX organizer. "We are still firmly against the collective bargaining agreement. We are still maintaining the fact that if they do vote and sign on the collective bargaining agreement, it is a misrepresentation of what the people want"

Hales said he has rescheduled the council's conversation about the police union contract for 1 p.m. Thursday. He intends to limit access to the meeting: Only credentialed members of the press and people who formerly signed up to testify will be allowed in council chambers.

"By order of Mayor Hales, the presiding officer of the Portland City Council, due to continued disruption of the council meeting, the meeting of October 5, 2016 will be reconvened tomorrow at 1:00 pm in a room where public access will be limited," read an order handed out by the mayor's staff.

The council hearing will be live streamed and available to watch on the city's website.

Tracy Reeve, the city attorney, said she believes the procedures comply with Oregon's public meeting law.

"Obviously this isn't a permanent change in how the city will be able to conduct public meetings. It's some limited changes to practices, in order to address some particular circumstances council's been facing," she said.

The protests also disrupted the first reading of a tax proposal introduced by Commissioner Steve Novick, who's facing challenger Chloe Eudaly in the November election.

Novick has proposed creating a tax penalty for companies that pay their top executives more than 100 times what their median workers earn.

The mayor's staff said that proposal would also be rescheduled, and that the public would be allowed to testify on it.

"That will be opened up for normal city business, assuming we're able to conduct normal city business in a public way," said Tara Pierce, Hales' chief of staff.

UPDATES

7:20 p.m. This article has been updated with quotes from Don't Shoot PDX, details about the protest and information about when the council will reconvene.