

The Oregonian

'Biggest mistake I'd ever made' was not telling sheriff about shooting friend, Portland police chief said

By Maxine Bernstein

January 31, 2017

The friend shot on a camping trip by Portland Police Chief Larry O'Dea insisted from the beginning that he hadn't accidentally wounded himself by putting his pistol in a shoulder holster, but that's what O'Dea told the deputy who initially responded to the call last year.

A state report of the shooting shows key contradictions in O'Dea's version of what happened last April when he and seven other friends went to southeastern Oregon and sat in a row of lawn chairs on the high desert shooting at ground squirrels.

Among them: How Robert Dempsey got injured, what O'Dea was doing at the time and why O'Dea never told Harney County authorities that he eventually realized he was the one who shot Dempsey in the back.

Both Dempsey, as well as O'Dea's former police partner who was on the trip, had to convince O'Dea when they talked several days after the incident that the police chief was responsible, the investigation shows.

But O'Dea repeatedly objected to any suggestion that he tried to hide his role in the shooting.

"There's no way this is a cover up. It was an accident," O'Dea told state investigators. "One accident, and it feels like 30 years of service is out the window. It's really upsetting for me."

He also denied that he had been drinking. He said he had some Irish creme in his morning coffee about 6:30 a.m. and was just popping open a beer before the shooting occurred.

Others said men in the group may have had a couple of beers but no one was drinking heavily. Dempsey said he had three to four beers that day. Another man, Stephen Buchtel, a retired Portland police lieutenant, said he had a couple of sips of whiskey just before Dempsey was shot.

O'Dea resigned last June as he was under investigation by Oregon State Police. A grand jury indicted him on a negligent wounding charge, but in early January a Harney County judge agreed to a civil compromise that will allow the charge against O'Dea to be dismissed.

Investigators reconstructed what occurred that April 21 day by reviewing audio recordings and body cam videotapes of the camping party's initial interviews with a Harney County sheriff's deputy, the deputy's notes and report, photos of the firearms, and through follow-up interviews with O'Dea and all the other campers, the mayor, the bureau's internal affairs captain and an assistant chief.

At their isolated camping spot, Dempsey cursed loudly, moaned in pain and dropped to a knee in front of his chair, holding his back once he was shot. As members of the group hurried to bandage up their friend and rush him to the hospital, O'Dea suggested to Dempsey that he had shot himself when he was reholstering his pistol. But Dempsey

immediately challenged that scenario, telling O'Dea and another friend at the scene: "I didn't shoot myself. I didn't."

Nonetheless, O'Dea repeated the theory to a Harney County sheriff's deputy who met the group at Fields Station, about 50 miles away, after a helicopter arrived to take Dempsey to St. Alphonsus Hospital in Boise. Dempsey was already on LifeFlight and told a medic he didn't see where the shot had come from.

But he was sure he didn't shoot himself, even asking a doctor at the hospital in Boise to confirm it. The doctor told him there was no way he could have shot himself. The surgeon also told him he was very lucky. The hollow-point bullet entered the lower left part of his back, traveled across his back and fragmented. He was released from the hospital the next day, the bullet still lodged in his back.

Retired Portland police Sgt. Mike Lieb, who had been O'Dea's patrol partner in the late 80s, told investigators that he had been standing behind a line of lawn chairs when he realized Dempsey had been hit.

He saw O'Dea sitting to the left of Dempsey with his .22-caliber rifle either across his lap or the arms of his chair and the barrel facing toward Dempsey.

"I heard a kind of muffled shot," Lieb said.

O'Dea told investigators that it wasn't until he spoke to Lieb by phone three days after the shooting that he realized that "oh crap" he had shot Dempsey.

"After talking to Mike, it just hit me like a ton of bricks that it had to be me," O'Dea said.

He told state investigators that he didn't recall exactly where his gun was before the shooting, but spoke of his "intention to set it against the chair."

O'Dea said he had stopped shooting, went to his truck to get some food, grabbed a can of beer, placed it in the cup holder of the table attached to his chair, sat and then stood up again to remove his electronic earmuffs.

O'Dea grabbed the unopened beer can, he said, and set the rifle down against his chair, stepped to his left and heard Dempsey moan.

"The best that I believed ... I know my intention is I'm going to set my rifle down, take this can and go over to where my truck is," O'Dea said.

O'Dea also wasn't sure where his rifle was after the shooting: "I couldn't tell ya," O'Dea told investigators.

In hindsight, he said he's been "wracking" his brain, asking himself, "Where did my gun land? Was it still against the chair?"

But Lieb told investigators that O'Dea was sitting down when the gun went off.

"I have no doubts about what I had saw," Lieb said.

Dempsey recounted to investigators that Lieb told him: "Mike said when he heard the shot and me scream, he turned and he saw Larry with the rifle in his hands."

Lieb ended up traveling to Idaho and driving Dempsey back home the next day. On that drive, they agreed that O'Dea must've shot him. Dempsey said he called Buchtel first, and

said, "One of you guys shot me." Buchtel said it couldn't have been him. Dempsey then called O'Dea.

"You shot me," Dempsey told him. O'Dea, he recalled, responded, "Yeah, I know," in an unusually matter-of-fact manner, Dempsey told investigators.

About five days after the shooting, O'Dea called Dempsey, and this time was extremely emotional and apologetic, Dempsey said. Dempsey said O'Dea also told him that he had called the sheriff's office, the state report said.

But that never happened.

O'Dea told state investigators that he believed the Harney County deputy was on vacation and so he had asked Dempsey to tell the deputy to contact him when they talked.

But Dempsey said O'Dea never made that request, and instead told Dempsey that he had contacted the sheriff's office himself.

The Harney County Sheriff's Office turned over the investigation to the state after learning from Dempsey that Portland's police chief had shot him. Sheriff's Deputy Chris Nisbet had taken photos of the hunting party's firearms, but never went to the campsite where the shooting occurred because the group had cleared out of the spot and collected no evidence. No deputies went to the hospital where Dempsey was admitted.

When Oregon State Police Det. Mitch Meyer asked O'Dea why he didn't call the Harney County Sheriff's Office the day he realized he was responsible for shooting his friend, O'Dea responded:

"In hindsight that was the biggest mistake I ever made ... in hindsight that was very foolish. I should have called somebody and said, 'Here's something significantly different than how it started out.'"

State Justice Department investigator Jodi Shimanek asked Lieb if there was any concern or conversation about how the shooting would look bad for O'Dea as police chief if it came out publicly. "Sure, we're all aware of that, absolutely," Lieb said.

Once O'Dea realized he had shot Dempsey, shouldn't have O'Dea called the sheriff's office, she asked Lieb.

"I didn't know he didn't," Lieb said.

His fellow campers said O'Dea had been having trouble with his rifle jamming and misfiring earlier that day. [In follow-up interviews, Dempsey and another camper, Jeff Purvis, told investigators](#) that on more than one occasion O'Dea had left his rifle resting across the armrest of his chair, one time facing toward Dempsey and another time facing toward Purvis.

The state investigators included in their reports a photo of a sign posted in the Portland Police Bureau's precincts, titled the "Four Cardinal Safety Rules." The first two rules are: "1. All firearms are always loaded 2. Never Point the Muzzle at Anyone or Anything You Are Not Willing to Destroy (Including Yourself)."

O'Dea said he told 18 people of his accidental discharge by the Monday after the Thursday shooting, including the mayor, four assistant chiefs and the captain who oversees the

bureau's internal affairs division. He said he didn't want to publicize the shooting until the Harney County Sheriff's office had completed its investigation.

Then-Capt. Derek Rodrigues, supervisor of Portland's internal affairs division, said O'Dea told him about the shooting after their usual Monday morning meeting, in which Rodrigues briefs him about division cases. He said O'Dea said one of his friends was shot in the stomach area while camping, and that he later realized he had an accidental discharge. Rodrigues said the chief never mentioned that the Harney County Sheriff's Office was investigating the shooting. He didn't realize the magnitude of what occurred, thought O'Dea was talking to him about a personal matter and an internal investigation wasn't started until after the shooting became publicized.

Mayor Charlie Hales said O'Dea told him that Monday morning an internal affairs investigation would be conducted, but the internal affairs captain said O'Dea had never requested one.

O'Dea never told the bureau's public information officer. The shooting didn't become public until one month later when reporters asked about it.

"My concern why we wouldn't make something public was until the deputy was back and has the rest of the information," O'Dea told investigators. Somehow, the shooting got leaked to the press, the chief noted, adding, "The problem with letting 18 people know."

Portland police chief reassures immigrant and refugee communities

*By Casey Parks
January 30, 2017*

Portland Police Bureau Chief Mike Marshman called for officers to be "a source of reassurance" to immigrants and refugees Monday after President Donald Trump signed executive orders curtailing immigration and the rights of refugees.

In a Monday news conference that featured speakers from Yemen and Somalia -- both countries named in Trump's travel order -- Marshman promised to ramp up protections for immigrants and refugees who have "heightened fear" following the executive orders.

He said he had sent a message to all members of the bureau, saying, "I want you, the members of the Portland Police Bureau, to be a source of reassurance to the community.

"We must be diligent in our efforts to the community, who now more than ever might see us as a source of fear," Marshman said. "We must be the ones who reach out first."

That means, Marshman said, reminding community members that Portland officers have not enforced and will not enforce immigration laws. And, in the wake of an attack on a mosque in Quebec, Canada, Marshman called for officers to patrol local mosques, Islamic schools and community centers to protect Muslims.

"While we have no known threats locally, our presence may provide reassurances to those in fear," Marshman said.

Wajdi Said, who came to the United States from Yemen 30 years ago, said that fear was very present this week at the Muslim Educational Trust in Tigard. Instead of reacting from fear, Said said, he would prefer to build coalitions with other immigrants and minorities who have faced discrimination.

"The Native American have faced it. Women have faced it in our society. Japanese American, Jewish American, Latinos and so many others," Said said. "When will it be 'enough is enough'? If you are a bigot and hateful person, it's time for you to reevaluate yourself as a human being. It is time we heal and build bridges of understanding."

Said turned to Marshman and thanked him.

"Chief, we are in front of you," he said. "We are on your left and your right and behind you."

Sho Dozono, a Japanese immigrant who once ran for Portland mayor, said he and others of Japanese ancestry will fight for Muslims' rights.

Seventy-five years ago, he reminded the crowd, it was an executive order that sent people with Japanese ancestry, including those born in Portland, to camps.

"Our motto is never again," Dozono said. "We will never let this happen again to anyone, to anyone in this country."

Dozono looked out at the crowd, which included immigrants from Tonga and Russia, as well as refugees from Laos and Egypt.

"I want to hear everyone say it," he said.

The crowd joined him in repeating, "Never again."

The Portland Tribune

Police chief: 'We do not enforce federal immigration laws'

By Pamplin Media Group

January 30, 2017

Portland Police Chief Mike Marshman told community leaders Monday that the police bureau would try to be "a source of reassurance to the community" in the face of a ban on immigration from seven nations imposed Friday by President Trump.

Marshman joined more than two dozen leaders from Portland's immigrant and refugee communities to reassure people that police would act to calm fears about intimidation and harassment of minority groups. Marshman said Trump's immigration ban executive order signed Jan. 27 "has spread fear and uncertainty to our refugee and immigrant communities."

"I want you, the members of the Portland Police Bureau, to be a source of reassurance to the community," Marshman said during a press conference called to denounce the travel restrictions. "We must be diligent in our efforts to the community who now more than ever might see us as a source of fear. We must be the ones who reach out first to all whom we serve and be able to answer their questions and provide clarity on what our role is in regard to immigration. That means giving assurance that we are not an extension of Immigration and

Customs Enforcement. We follow and enforce Oregon law. We do not enforce federal immigration laws."

Trump's executive order affects people traveling from Iran, Iraq, Syria, Sudan, Libya, Yemen and Somalia. It includes a system of "extreme vetting" for refugees.

Trump said the order wasn't meant as a ban on Muslims, "this is about terror and keeping our country safe."

"America is a proud nation of immigrants and we will continue to show compassion to those fleeing oppression, but we will do so while protecting our own citizens and border," Trump said in a statement released with the order. "We will again be issuing visas to all countries once we are sure we have reviewed and implemented the most secure policies over the next 90 days. I have tremendous feeling for the people involved in this horrific humanitarian crisis in Syria. My first priority will always be to protect and serve our country, but as president I will find ways to help all those who are suffering."

Marshman said the police bureau would continue extra patrols around mosques, Islamic schools and community centers. "While we have no known threats locally, our presence may provide reassurances to those in fear," he told community leaders.

According to Portland's Immigrant Refugee and Community Organization, a large portion of the refugees resettled in the region are women, children and families. Last year, the nonprofit helped relocate 1,780 refugees to Oregon from Syria, Somalia, Iraq, Iran, Africa and Eastern Europe.

OSU 'unwavering'

Marshman's reassurances come just days after the White House travel restrictions prompted a wave of protests across the nation, including at Portland International Airport, where hundreds of people gathered for two days to voice opposition to the policy.

At the same time, a parade of Oregon public officials denounced the travel restrictions. Members of Oregon's Commission on Asian and Pacific Islander Affairs and the Asian Pacific American Network of Oregon said in a Monday statement that Trump's immigration ban was "a travesty of justice that within a few weeks of the 75th anniversary of the signing of Executive Order 9066, which led to the incarceration of 120,000 Japanese Americans during World War II because of their race, and without due process of law."

"President Trump's actions will put Oregonians at risk and will place an extra burden on communities of color especially in rural areas, many of whom have already been the target of violent attacks since President Trump's election," said Zahir Janmohamed, APANO policy director.

Oregon State University President Edward J. Ray said Monday that the Corvallis school would remain a sanctuary university, and offered assurances that OSU would take steps to help students impacted by the executive order.

"This university will remain unwavering in its commitment to inclusive excellence, social justice, diversity of all kinds and the safety of all people," Ray said in the Jan. 30 statement. "These commitments are the foundation upon which we build excellence in everything we do. As your

university's president, I assure you that Oregon State University is fully committed to support students' pursuit of their education and faculty's work in teaching and research."

Slamming the door

On Monday, Oregon Sens. Ron Wyden and Jeff Merkley, and Reps. Earl Blumenauer and Suzanne Bonamici joined Democratic colleagues at a vigil outside the Supreme Court, calling on the president to reverse his executive order.

"The president's ban on Muslims and refugees offends fundamental American values," Merkley said during the gathering. "We're a nation that treasures religious freedom and religious tolerance. We're a nation that doesn't slam the door shut on refugees fleeing persecution and blight. Moreover, the Muslim ban profoundly endangers our security by feeding the fires of ISIS propaganda promoting the idea that America is at war with Islam. It endangers all Americans."

"America is a nation of immigrants and refugees who came to these shores fleeing persecution and seeking unparalleled opportunities for freedom," Wyden said. "Today we stand together against those who would betray both the law and our history to impose an unconstitutional religious test on immigrants. This illegal order endangers America by emboldening terrorists and undercutting our allies in the fight against ISIS. Simply put, we're going to fight like hell against this cruel, senseless and un-American order."

"This will not stand," Blumenauer said. "Together, we are fighting this injustice and will do everything we can to put a stop to this executive order."

Daily Journal of Commerce

Portland rebrands effort to digitize permit system

By Garrett Andrews

January 30, 2017

The city of Portland has hit the "reset" button on the effort to streamline its costly and circuitous building permit process, bringing in new personnel and even renaming the project.

The Information Technology Advancement Project (ITAP) is now the Portland Online Permitting System (POPS). It's currently in a six-month "assessment" phase to examine what has worked and where the project went wrong, according to Jen Clodius, senior management analyst for the Office of Management and Finance.

"Frankly, it is rebranding," she said. "And also frankly, 'Portland Online Permitting System' means a whole lot more to people (than) whatever 'ITAP' was."

The project will now be overseen by Laurie Levy (pronounced Lev-I), a former manager at the Bureau of Technology Services. Also, both the Bureau of Development Services and the BTS will guide the project. Other staffing changes could come at the close of the discovery phase. It's also possible the project could be broken into smaller, more manageable pieces.

A rebranded system should provide users a more positive experience, said Jeff Baer, head of BTS.

“Over the next five months, the team is really going to be focused on this discovery project,” he said. “It will thoroughly vet the status of work that’s been done to date. We’re going to establish very strong planning and governance structure, and look at options as we move forward.”

POPS is intended to digitize all the city’s permit records and allow online access to case management documents.

“As you can see, it’s a fairly complex project,” said Wilfred Pinfold, a retired Intel director now serving on the city’s Technology Oversight Committee. “It’s been a tough year to get here, but we’re now in a good position.”

Pinfold updated the Portland City Council on projects overseen by the TOC. He said he expects POPS’ progress ahead to be “incremental.”

The anticipated project completion date was pushed back several times, and the budget has swollen from \$8 million to nearly \$12 million.

“It has been a tough year for the ITAP project,” Pinfold said. “I feel like the right things have been done, and I’m feeling that this is the first time the TOC has been able to come to this table optimistic about the ITAP project.”

Compounding the difficulties is the fact that many city offices are affected. Employees ranging from fire inspectors to water inspectors are involved in the permit process.

Another problem is that technology changes fast, and much has changed in the five years since the project began. The goals for ITAP were so lofty, Clodius said, that it’s likely the system would have been outdated as soon as it opened to the public.

Last summer the city severed ties with its contractor, Sierra Systems.

Portland’s former ITAP manager, Rebecca Sponsel, no longer works for the city.

The Portland Business Journal

Portland hosts cities from around the world in Smart City conference

*By Skip Newberry
January 30, 2017*

A little over two years ago, the National Institute of Standards and Technology launched the Global City Teams Challenge as an initiative to spur innovation in Internet-of-Things and smart cities. The City of Portland took part with a handful of early partners including Intel, Portland State University and the Technology Association of Oregon.

This week, Portland will host an important event in the next phase of the challenge, in which cities from around the world will come together to collaborate across several policy areas ranging from transportation to energy. More than 20 cities will be sending officials to the conference, including:

- Addis Ababa, Ethiopia
- Ancona, Italy
- Beaverton
- Bellevue, Wash.
- Centennial, Colo.
- Columbus, Ohio (which won the \$40M U.S. Department of Transportation Smart City Challenge)
- Daegu City, South Korea
- Eindhoven, The Netherlands
- Galle, Sri Lanka
- Greenville, S.C.
- Los Angeles

Workshops will be held over a day-and-a-half where officials from each of the participating cities will discuss projects related to first-mile-last-mile solutions, sensor technologies, urban freight, smart city software development kits, transportation modeling, regulation and policy and opportunities for city-university-private partnerships. By the conclusion of the workshops, participating cities will also identify areas of collaboration that will occur over the coming months.

The discussion and any outcomes from the conference will be collected into a report in the next couple of months that will be shared by NIST with federal officials at multiple agencies with the goal of informing new funding initiatives and challenges. The report will contribute to an emerging federal strategy linking together resources across agencies.

A smart city product showcase on Feb. 1 will feature a mix of startups, small and large tech companies, including Intel, Cisco, Apis, CIVIQ Smartscares, Studio Transcendent, DKS Associates, iSoftStone, Moonshadow Mobile and Metro.

The next day there will be an autonomous and electric vehicle showcase in the West Parking Garage at the Rose Quarter. If you want to check out some of the latest electric and autonomous vehicle solutions by 5D Robotics, MC Electric, Mobility Cubed/Pangea, Arcimoto, Meridian Autonomous Vehicles, and ReachNow, please feel free to stop by.

While we reached capacity for this event a couple of weeks ago, our goal is to build on the early success of this event in the future by including more local, national, and international partners and expanding the format and opportunities available to participants in 2018.

Smart infrastructure is estimated to become a \$59 trillion market in the next 15 years. With the Global City Teams Challenge and the Transportation Super Action Cluster Summit this week, we have an opportunity to position the region as a leader in this important emerging market.