

The Oregonian

Portland mayor hopes to challenge Trump, join Seattle lawsuit

By Jessica Floum

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Portland Mayor Ted Wheeler intends for Portland to join Seattle in a lawsuit challenging [President Donald Trump's executive order](#) on sanctuary cities that will not assist with federal immigration enforcement, the mayor [Tweeted on Friday](#).

The Portland City Council will vote Wednesday on whether to join Seattle's lawsuit, which alleges Trump's executive order is unconstitutional. A section of the January order said the federal government would withhold grants from cities that refuse to cooperate with federal law enforcement.

Attorney General Jeff Sessions said in a [March press conference](#) that the federal government would also take "all lawful steps to claw back any funds" awarded to sanctuary cities.

Two days later, Seattle filed suit. It alleges that Trump's executive order violates the Tenth Amendment, which prohibits the federal government from directing state and local governments to do the work of the federal government, [The Seattle Times reported](#). The suit also argues the order violates the U.S. Constitution's Spending Clause, which blocks the federal government from coercing state or local action through the denial of funds.

"This administration has created an atmosphere of anxiety in cities across America and created chaos in our politics," Seattle Mayor Ed Murray told The Seattle Times. "It is time for cities to stand up."

Portland's current budget has more than \$29 million in federal grants that "could be in jeopardy," according to a financial impact analysis of the resolution.

"The City of Portland is the recipient of millions of dollars of federal grants that could be jeopardized by (the executive order), and, therefore, has a direct stake in the outcome of litigation challenging the legality of (the order)," Wheeler's proposal says.

Passing the resolution would allow the city attorney to ask to join Seattle's suit. The costs of joining the lawsuit would be minimal, according to a financial impact analysis. The city received an offer from an unnamed "reputable law firm" to litigate the case for free, the analysis said. Costs are unlikely to exceed "a few thousand dollars," it said.

The Portland City Council officially [declared Portland a sanctuary city](#) in March, insisting Portland is a welcoming place for all. The council directed city bureaus to train staff how to respond to federal immigration requests for information on city employees or Portland residents.

Suspended Portland Police Chief Mike Marshman told Portland Police Bureau employees in January that his officers would not enforce federal immigration rules.

"The Constitution clearly delineates responsibility between the federal and local level," mayoral spokesman Michael Cox said. "Our policy is constitutional. Retaliation for that policy in the form of withholding funds is not."

Willamette Week

Portland Commissioner Chloe Eudaly Told a Gripping Tale of Personal Loss. But It Wasn't the Whole Story.

By Aaron Mesh

April 12, 2017

Portland Commissioner Chloe Eudaly won election last year on the strength of a powerful personal narrative and a surgical focus on housing costs. At a Feb. 2 meeting of the City Council, she was about to vote on a rental reform when she told a story that combined both.

It was an extraordinary anecdote—both for what it contained and what it left out.

Eudaly gave the opening remarks at a hearing for her city ordinance requiring landlords to pay the moving costs for tenants evicted without cause. The ordinance prompted a contentious debate, with renters and property owners each accusing the other of bad faith.

Eudaly told a cautionary tale to show that she was already familiar with problem tenants. Her own parents had been landlords, she said—and when they evicted a tenant in Washington County, the renter trashed the house.

"My father was driving home from assessing and photographing the damage on a rainy day in October 1983," said Eudaly, who was 13 that year. "He lost control of his vehicle on a tight curve, hit an oncoming truck and died instantly."

Her revelation disarmed her critics and silenced the room. A month later, Eudaly [repeated the story on Oregon Public Broadcasting](#), describing the impact of her loss.

"My biggest takeaway from my dad's early death was...this realization that you could do everything you're supposed to do, work hard, support your family, give up your personal dreams and have it all taken away in an instant," she said.

But the wrenching story Eudaly told was incomplete.

John Ray Eudaly did die in a car crash on Southwest Farmington Road outside Hillsboro on Oct. 30, 1983.

But records show he was driving drunk.

Eudaly, 37, was driving east on Farmington Road at 1:43 pm on a rainy Sunday afternoon. When his Volvo crossed the center line, it collided with a Ford Courier pickup. Washington County sheriff's deputies [estimated Eudaly was traveling between 60 and 75 mph on a 30 mph curve](#).

A [toxicology report](#) placed John Eudaly's blood alcohol content at .12, well above the legal limit of .08. "As Mr. Eudaly was removed from his vehicle," the police report notes, "observed between his legs was a quart of Boones Ferry Applewine [sic] which was 3/4 empty and pint of Magnum malt liquor on the floorboard under his feet; empty."

In the pickup that Eudaly hit was 11-year-old Jeffrey Hunter, who was killed instantly. His mother, 35-year-old Linda Jo Hunter, survived for another 52 days in the hospital before dying from her injuries.

George Hunter, Linda's husband, sued the state of Oregon for negligence in 1984, saying the curve lacked adequate warning signs and was obscured by tree branches. A lawyer for the state argued that Eudaly's drunkenness caused the wreck, *The Oregonian* reported in its coverage of the trial. The jury agreed with the state.

Ted Runstein, who represented George Hunter in the wrongful-death case, recalls it as one of the saddest of his 50-year career. "The jury was in tears afterward," he says. "It was a very nice lady returning from shopping with her son, who was killed on the spot."

Runstein says the tragedy of the Hunter family shouldn't be forgotten. "I'm sure the commissioner feels bad about her father's death," he says. "But her father caused the collision. Two innocent people were killed."

George Hunter, now 69, tells WW he holds no ill will toward Chloe Eudaly for omitting his wife and son's deaths from her story.

"That whole event was equally tragic to her family," Hunter says. "It was a tragedy for two families."

WW obtained the police reports from the 1983 crash via a public records request. So did OPB, which learned of these details after it aired the interview with Eudaly, and then last week ran a one-paragraph addendum to the interview on its website.

WW asked Eudaly to explain why she told an incomplete story. She responded April 11 with a statement.

"I was 13 years old when my father was killed in a head-on collision that took the lives of two other people," Eudaly said. "I was shielded from certain details of the accident by my family, specifically that he was eventually found responsible for the accident in civil court due to intoxication, and didn't learn the complete story until very recently."

"Despite these painful revelations," Eudaly continued, "the fundamental facts of the story I shared remain the same—my father died on the way home from inspecting his trashed rental property, and unfortunately his poor decision led to the accident. The point I was illustrating, though, remains unchanged. And that is that policymaking based on personal anecdote is bad policymaking. The impetus for sharing this aspect of the story of my father's death came when I watched state legislators—who are landlords—share their own bad tenant stories, using them as an excuse to deny all tenants greater protections under the law."

"It was not my intent to misrepresent my father's role in the accident," she said. "I regret any pain I may have caused surviving family members by discussing the accident in public."

Eudaly declined through spokesman David Austin to answer further questions.

For some, Eudaly's initial use of this incomplete story to score a political point is troubling for a public official whose brand is candor.

Eudaly [campaigns on a personal narrative](#): running an independent bookstore as a single mother, and the struggle to pay rent in an increasingly expensive city. She pledged to bring transparency to City Hall and stick up for the downtrodden, messages that helped her defeat incumbent Commissioner Steve Novick in November.

But the choice to use her father's death to bolster her political position—without mentioning the deaths of two others or her father's culpability—raises questions about Eudaly's judgment.

When this story was shared with Hana Callaghan, director of the government ethics program at the Markkula Center for Applied Ethics at Santa Clara University, she said it appeared to be "a way of getting people to sympathize with you and thus get behind you. And in that sense it's deceptive by omission. It's problematic: Public officials have duty of honesty and integrity."

"It's odd," Callaghan concludes. "I haven't had this one before."

All of Eudaly's colleagues on the City Council declined to comment on her remarks.

Before her Feb. 2 testimony, Eudaly seemed to warn herself against using a personal story as political grist. "As former Secretary of Labor Robert Reich recently said, 'Governing by anecdote is not governing. It's demagoguery.' And it's been disappointing and frustrating to witness opponents to tenant protections...resort to playing on the public's emotions and prejudices, rather than basing their positions on facts."

She paused, then continued: "But I'm going to share a personal anecdote today with you anyway."

The Portland Mercury

Hall Monitor: A Miracle Move for R2DToo?

By Dirk VanderHart

April 12, 2017

When Paul Allen's wrecking balls came for Portland's old Thunderbird Motel in the early 2000s, a small parking lot remained.

Today the lot is a paved wedge, squished between the cheers of the Moda Center and the opaque, dusty commerce of a looming grain mill. For years, it has hosted the flashy cars of Trail Blazers, or trucks schlepping equipment to the arena's next big spectacle. On a recent visit, a security guard said he'd been told explicitly to keep the homeless away.

And last week, this unassuming lot became a surprise savior.

After years of fruitless leads—and of promising plans that flagged in the face of NIMBY opposition—the small parking lot might finally be a place the homeless rest area Right 2 Dream Too can call its own.

At least until October.

The news emerged on Thursday, April 6, just one day before the well-regarded homeless camp was supposed to be tossed out of its longtime home under the Chinatown gate at West Burnside and 4th.

As first reported by the Mercury, the Portland Development Commission (PDC) that day revealed a concession: It had threatened to tear up an agreement to purchase the Chinatown plot if campers weren't gone by April 7. But after repeatedly insisting that that date was firm, the PDC had agreed to a two-month extension.

"It was an 11th-hour decision that pretty much came together yesterday," Michael Wright, R2DToo's landlord of nearly six years, told the Mercury on Thursday.

More surprising was the reason for the extension: After years of poring over lists of city-owned property to find R2DToo a fitting home, officials had suddenly discovered a plot no one had brought up before.

The old triangular Thunderbird lot is owned by PBOT as a “right of way,” though the bureau has been giving the Trail Blazers organization free run of the place. And it checks many boxes that R2DToo supporters have been looking for in a new site: It’s close to transit and reasonably near the social services clustered in Old Town. It’s also not indoors, which boosters like Commissioner Amanda Fritz have been adamant about in a new location.

“It’s one of the best spots we’ve seen,” said Trillium Shannon, a board member of R2DToo. “We provide safe sleep. We can do that there.”

The existence of the lot caught many people by surprise. It was uncovered mere weeks ago, as Marc Jolin, director of the county’s Joint Office of Homeless Services, and a city employee named Ben Mauro were scouring the internet for possibilities.

“It’s a PBOT property,” says Fritz, who for years led the effort to find R2DToo a home. “We had previously been looking at the ones that were in Mayor [Charlie] Hales’ portfolio or mine.”

Berk Nelson, Wheeler’s point man on homelessness, worked to bring parties together around the move—including selling Dan Saltzman, the city’s transportation commissioner, on approving the deal. Three separate agreements paving the way for the move were signed mere days before R2DToo was slated for eviction.

The camp has had its share of dicey moments since it was founded in 2011, but for Shannon, this felt like the closest R2DToo had ever been to demise. She seemed to still be grasping the fact of its survival Friday afternoon, at a press conference announcing the deal.

Because we’re talking about R2DToo, though, you can expect complications.

To anyone who’s watched this saga—and seen the camp rebuffed from potential moves no fewer than three times (see [here](#), [here](#), and [here](#))—it feels almost too convenient that the city could quickly find a suitable plot after years of searching.

After the last failed attempt earlier this year, when [Wheeler vetoed Fritz’s proposal](#) to move the camp to a city-owned parking lot on Southwest Naito, it seemed likely R2DToo would be unceremoniously evicted with no place to go. Wheeler’s office went so far as to suggest that was likely, noting the Naito proposal would’ve only been a temporary solution anyway.

Now the camp’s got new life, but Wheeler’s solution is also temporary.

The old Thunderbird lot is zoned for industrial use, according to city officials, which means a mass shelter isn’t allowed there under zoning code. The city will rely on its housing state of emergency to skirt those rules, but if the emergency is allowed to expire as planned in October, R2DToo could be out of options once again.

Notably, Wheeler’s office has not committed to pushing for an extension of the state of emergency, though Fritz said last week she expects city council will adopt one.

“I’m confident the council will vote to extend the housing emergency,” she said. “It seems very unlikely we’re going to solve our housing problems by October.”

Assuming Fritz is right, the camp’s stay in the new plot is still finite.

In announcing the move, officials said R2DToo might be able to stay on the lot for as long as two years. But it's unclear where they got that time frame—it's not reflected in official documents laying out the move.

A "space use" agreement [[PDF](#)] between the city and R2DToo says, "In no event shall this agreement be extended beyond September 30, 2018." In the best-case scenario, that means R2DToo could be on the hunt next year.

Then there's that one shining constant of Portland life: neighbors who want to have their say.

In announcing the move, the mayor's office says it received the blessing of the operator of an adjacent mill (a woman who answered the phone at the company said she'd never heard of the matter, and referred me to an office in Connecticut), and no serious objections from the Trail Blazers organization, which said in a statement it is working "to ensure that this decision has minimal effect on our events and the surrounding neighborhood."

One group the mayor's office didn't bother to contact? The Lloyd District Community Association (LDCA). In a statement issued Tuesday, the group said it has safety concerns because of the land's proximity to transit and freight train traffic.

"We were not contacted about this decision," LDCA co-chair Brian Griffis said. "We want to have a role."