

## The Oregonian

### Portland paid neighborhood director \$144K to leave

By Jessica Floum

March 22, 2017

Portland's Office of Neighborhood Involvement director walked away from her job Monday with a large sum of money.

Portland paid Amalia Alarcon de Morris a year's salary worth of severance --\$144,000--in exchange for her quiet resignation, according to the agreement obtained by The Oregonian/OregonLive.

[Alarcon de Morris' departure](#) after running the neighborhood office for 11 years followed a scathing November audit that found the bureau lacked leadership and spent funding unequally and that Alarcon de Morris failed to create and execute yearly plans. [Willamette Week](#) first reported the severance payment.

The shakeup was the first major leadership change by the new City Council and securing Alarcon de Morris' ouster fell to newcomer Commissioner Chloe Eudaly. Eudaly's chief of staff Marshall Runkel said the change was a long time coming and the next "logical step" at the bureau. He noted the November audit.

"I don't think it's necessary to criticize Amalia to understand new leadership would be useful in getting to a new direction," Runkel said. "It's an exciting time. Change is difficult for any organization. I expect there to be some bumps in the road, but I feel like we've got a great opportunity."

Runkel said Eudaly's office plans to guide the bureau in a manner that includes more members of the community. That will mean including renters and diverse populations who have previously felt "boxed out," Eudaly's Deputy Chief of Staff Dave Austin, now interim director of the bureau, told The Oregonian/OregonLive last week.

Eudaly and the bureau's new leaders also plan to position the neighborhood office to help bring communities together to prepare for the big earthquake, Runkel said.

"Frankly, the commissioner wanted to assemble a new team that she felt comfortable working with and that had experience leading this type of change," Runkel said. "I would characterize it as the next logical step in the evolution of the system."

Austin said he met with the bureau staff on Tuesday and discussed how to begin giving the neighborhoods a stronger voice. Austin said he's still in the information-gathering phase but hopes to have a plan to redirect the bureau and enhance management in about a month.

A city official familiar with the bureau said upper managers are looking for new jobs, but Austin said there are no plans to replace anyone.

"Change can be a difficult thing for people," Austin said.

# Affordable housing ideas for churches, libraries, schools and backyards (Column)

*By Samantha Swindler*

*March 22, 2017*

In the hunt to expand the Portland area's affordable housing stock, where there's a plot, there's a possibility.

That's why churches, libraries, schools and backyards are some of the places where you might see the next affordable units.

[First United Methodist Church](#) in Forest Grove owns a large city block of land, purchased around the 1950s, when the congregation had some 800 members and plans to grow.

"This was riding the post-war church boom," Rev. Dan Thompson-Aue said.

But today, membership is fewer than 200. The land is sitting undeveloped.

And Washington County has a critical shortage of low-income apartments.

"Maybe God knew why we were going to have this property and it's not the reason that we thought," Thompson-Aue said.

Church leaders have met with Rob Justus of [Home First Development](#) about the possibility of constructing affordable housing next to the sanctuary. Preliminary talks with the city of Forest Grove have determined the church could fit as many as 41 units on its property, though Thompson-Aue cautioned "most of us think that's a little too much for that corner."

He acknowledges that housing development is a departure for the century-old church. But as many Mainline Protestant churches face declining numbers, it's time to try something different.

"We can't be the way we were, and the way to future relevance is we need to get to know our community," Thompson-Aue said. "We need to get outside of our monastic walls and be a church out in the community."

Last weekend, about 20 members of the congregation traveled to Portland to tour a 400-square-foot, one-bedroom unit in the D Street Salal Apartments, built by Justus and Home First Development. The space rents for [\\$495 a month](#).

Justus is in talks with several churches considering new uses for long-held property.

"I think the churches are huge," Justus said. "It really opens the doors for so many more units because of how much land they own... Everything begins with the land, and in the metro area, land is harder to find."

He's working with [University Park United Methodist Church](#) in North Portland on a concept to build up to 26 affordable housing units attached to the church sanctuary.

And in Gresham, the [Pacific Northwest Mennonite Conference](#) is considering affordable "cottage" style housing for 2.46 acres it owns at the former Peace Mennonite Church.

"It would meet a need," said Katherine Jameson Pitts, executive conference minister. "And, I don't suppose we say it in exactly these words, but meeting human needs globally and locally is part of what we as Mennonites think church is, it's who we are."

These churches own their property debt-free, which takes away one big chunk of the cost of developing affordable housing. But the process of securing funding and getting site approval can still take years.

"The potential is there, but most churches will have to go through some type of land-use process," Justus said.

Cornelius, a town of about 12,000 residents in western Washington County, knows how long it can take for ideas to become reality. The city's combined library and senior housing complex, [Cornelius Place](#), has been five years in the making.

"It's the classic tale of cobbling together all the funding sources," said [Bienestar](#) Executive Director Karen Shawcross.

Bienestar, a non-profit housing developer, and the city of Cornelius have partnered for the \$16 million project. The city will own the first-floor library, while Bienestar and [BRIDGE Housing](#) will own and manage two upper floors of 45 apartment units for renters 55 and older.

Cornelius residents have the lowest per capita income in Washington County, and local voters [turned down a levy](#) for the library portion of the project in 2013.

Ultimately, funding for the entire concept was pieced together from the Oregon Lottery, Washington County, Metro, the Oregon Housing and Community Services department, as well as private donations.

Shawcross hopes to break ground this fall, with a tentative opening planned for fall 2018.

And if seniors can live above a library, why not on a public school campus? That's the concept put forth in Oregon [House Bill 2433](#), which would establish a pilot program to develop low-income senior housing on school district land, offering seniors reduced rent in exchange for classroom assistance. It's a creative solution that would help both seniors and students. Renters, according to the proposal, would undergo a criminal background check [and devote at least 10 hours](#) a week during the school year to helping in the classroom. The bill is sponsored by Rep. Julie Parrish, R-Tualatin/West Linn, and Rep. Mike Nearman, R-Independence.

For a more immediate housing solution, Multnomah County is offering homeowners a backyard tiny house if they give the space to a currently homeless family.

The concept came out of the Multnomah County Idea Lab, which plans to invest \$300,000 into a pilot project with four houses. The 200-square-foot homes would be provided free to homeowners, who in turn agree to rent them to a needy family for at least five years.

The big benefit is these units could come online quickly. Denis Theriault, a spokesman for the city-county Joint Office of Homeless Services, said they could be operational by the end of June.

The concerns? Up to \$75,000 per tiny home - particularly when Justus has built complexes at a cost of about \$85,000 a unit - is a steep price tag. And it serves only one family, in a city with the need for around 25,000 affordable units.

But here's the neat thing.

So far, more than 700 people have signed up for one of four tiny houses, Theriault said. I'm sure some of these folks just want a free tiny house, but being a landlord is a lot of work. And now 700 people are considering what it would take to help a needy family. Maybe some of those people will realize they could build their own tiny home and apply for rent assistance programs

that would make it cost-efficient for them to provide that housing to low-income families themselves.

"If this captures the community's imagination," Theriault said, "that's awesome."

And if any of these ideas captures a community's imagination, it's a good thing.

## **Willamette Week**

### **Portland's Poker Rooms Are Licensed by the City, Wildly Popular—and Too Illegal to Last**

*By Nigel Jaquiss*

*March 22, 2017*

Evgeny "John" Ogai was a lousy poker player. Yet more than anyone, he established the game in Portland.

After visiting Las Vegas nearly a decade ago, Ogai, a slight, intense Russian-born entrepreneur, saw an opportunity. And in October 2010, he opened the Encore Poker Club at Northwest 16th Avenue near Glisan Street.

His wasn't the first poker club in Portland, but it was the first to draw big crowds. "When poker clubs started, they were cruddy, low-rent spaces," says Steven Harper, a longtime local poker player.

Not Encore. Ogai went upscale. He leased a 5,500-square-foot-space along the western edge of the Pearl District, renting it for \$88,000 a year.

Ogai told people he spent \$30,000 on the restrooms alone. He bought padded leather chairs and stocked top-shelf liquor.

He became the first in Portland to capitalize on tournament poker, attracting a large and regular group of players to Encore.

"It was by far the most professional place in town," says Grant Denison, a longtime Portland poker pro. "It was packed all the time."

Ogai's success inspired competitors. More than a dozen poker rooms have operated in Portland since 2010—a little slice of Vegas in Stumptown.

Although licensed, Encore and other poker clubs appear to have operated in violation of the law for years, thanks to inattentive regulators.

But the clubs' heyday is over.

Portland poker faces extinction because of a lethal combination—aggrieved competitors across the Columbia River and energized government regulators who have finally mastered a legal framework more complicated than the permutations of Portland's poker game of choice, Texas Hold 'em.

Unlike the shadowy underground clubs featured in movies such as *Rounders*, Portland poker clubs are licensed by the city and the Oregon Liquor Control Commission and operate out in the open.

Yet officials say nearly everything about them regularly violates city ordinances and state law.

Illogical as it may seem, the clubs are both legal and yet operating illegally.

Maybe you've never played poker or hate gambling. But the issues facing Portland's 13 licensed poker clubs illustrate the dilemmas of the "gig economy," which is characterized by short-term contracts and freelance work.

Like other businesses that operate in gray areas—such as cannabis before legalization, and Airbnb today—poker clubs' existence raises a question: If companies operate outside the law, is that a reflection of poor enforcement or archaic laws?

Competitors say the appropriate response is clear—shut them down.

But lobbyist Geoff Sugerman, who helped Ogai derail a 2013 bill that would have killed poker outright, says laws prohibiting willing participants from competing against each other in a game of skill are the problem.

"It makes no sense at all in the modern context of how poker really works," Sugerman says. "The laws are completely outdated."

Next month, Portland poker goes on trial at a city hearing, where Portland's two biggest clubs will for the first time formally address the conflict between what's allowed and what's actually happening.

But Ogai, the man who did more than anybody to popularize poker in this town, won't be there.

He killed himself last year after losing a legal battle that put his club out of business.

Across Portland, a handful of the city's licensed poker clubs are following Ogai's focus on tournaments.

They draw an estimated 500 to 600 hardcore players, and thousands more who play semi-regularly.

The clubs are also—according to interviews with players, recent city inspections and a reporter's observations—breaking numerous laws.

A recent Friday night at Final Table, the biggest poker club in East Portland, illustrates the paradox.

As the clock ticks toward midnight March 3, nearly 300 players fill a room that smells like a mixture of air freshener, fear and fryer grease.

Located in a gritty strip mall on Southeast 122nd Avenue, just south of Division Street, between a Pizza Baron and an O'Reilly Auto Parts, Final Table is a long way from Vegas.

Dusty curtains cover the windows, and worn linoleum covers the floors. There's little decoration other than a framed poster of James Dean that reads, "The only greatness for man is immortality."

Menu choices include \$5 Coors Light drafts, Rockstar and Red Bull energy drinks, and the \$12 house special: tonight, a bacon-wrapped chorizo sausage with a side of mac 'n' cheese and a soft drink, delivered right to the poker table.

UFC brawlers battle silently on big screens lining the walls. A uniformed security guard watches the door, aware that there are tens of thousands of dollars in cash on the premises.

Professional dealers shuttle from table to table, carrying their own decks and seat cushions.

On this night, players are competing in a \$20,000 prize tournament that will continue long after the sun rises. Dozens of others play in a cash game of no-limit Texas Hold 'em, in which pots for single hands can top \$1,000.

The players are ethnically diverse but nearly all male. They will lock in at the tables for eight hours or more, drifting away occasionally for a smoke, a restroom break or an ATM infusion.

There's grumbling among players—management posted a sign raising the cover to \$15, after keeping it at \$10 for years. That's painful if you're a regular who comes in a dozen times a month, and many do.

A sign on the door explains the price increase.

"We have waited to raise our fees for as long as we could," reads the message. "But it has become apparent that doing so is necessary if we are going to continue to keep our doors open."

The club is raising money for lawyers and its April showdown with the city of Portland.

That showdown has been inevitable since the city began licensing clubs in 2008, because poker is in direct conflict with numerous city and state legal prohibitions (see "House Rules," below).

But John Ogai didn't see it coming.

After graduating from Portland State University in 2001 with a degree in information technology, Ogai sold used computers online, brokered real estate, launched an internet startup for language translation, and tried to perfect a dating app.

"He was constantly looking for investments," said a friend, Chris Vetter. "He was looking at starting a soda company. He called the drink 'Sex.'" (Vetter died of complications related to diabetes in February.)

Ogai frequented high-end restaurants like El Gaucho and Andina. He spoke with an accent and was often blunt to the point of rudeness.

"He liked vodka," Vetter said. "He was Russian to the core—not very communicative or emotionally expressive."

Typical of Ogai's bluntness was an email exchange with a former Encore waitress named Kristen Shull, who questioned his management style. She posted his reply on Facebook.

"I work hard. I play hard," Ogai wrote. "I spend my hard earned money however the fuck I please... so fuck off, Kristen."

In 2009, Ogai bought a North Portland bar called the Six Point Inn. That's where he got his start in poker, running an unlicensed game. (Ogai had no criminal record, although documents show Portland police investigated a rape accusation against him in September 2010. The case was dropped when the alleged victim stopped cooperating.)

Ogai took what he learned about poker at the Six Point Inn and applied for a social gaming license in 2010, soon after the city opened the door to poker clubs.

Televised coverage of the World Series of Poker had generated national interest, catapulting Texas Hold 'em beyond casual games and some illegal, big-money games between serious players.

Although Oregon law prohibits non-tribal casino gambling, in 1973 state lawmakers passed a "social gaming" statute to allow nonprofits and private clubs to host poker games. Portland started licensing poker clubs in 2008.

"Before the issuance of permits, poker was 'underground' and could be a dangerous activity," Terri Williams, deputy director of the Portland Revenue Division, which licenses poker, says in a statement. Williams adds that her bureau expected the clubs to follow the law. "Business plans submitted did not indicate these violations would take place."

The early Portland clubs were sketchy, attracted few customers and had a high failure rate.

Numerous players say Ogai revolutionized the business when he opened Encore. Part of his success certainly stemmed from having an attractive club in a central location.

But more important was his decision to organize big-dollar tournaments, which attracted hundreds of players.

In tournament poker, dozens or even hundreds of players pay a fixed entry fee, say \$100, for the right to play for a pot of \$10,000 or \$20,000. The enticement of those big pots—which Ogai would eventually increase to more than \$100,000—brought players from all over the metro area and even from other states.

Before Portland began licensing poker clubs, players seeking a legal game had to drive to card rooms in La Center, Wash., or to a tribal casino. Ogai offered the same experience, but right here in Portland. And, crucial to his success, he didn't charge players a per-hand tax known as "the rake" (see "Raked," page 15).

He also opened Encore at just the right time.

April 15, 2011, is known among serious poker players as "Black Friday." On that day, the U.S. Department of Justice shut down the three biggest online poker sites, leaving players throughout the U.S. with fewer places to play. "It was a very dark day for poker players," says Denison, who until Black Friday earned a living without leaving his couch.

By 2013, Encore and other Portland clubs were booming. Online players migrated to the clubs, and Encore's tournaments grew ever larger.

Ogai had a steady flow of door fees and captive customers for his bar and grill. He told friends he was grossing \$1 million a year.

"It feels like I have won the biggest tournament of my life so far," Ogai wrote on his LinkedIn page that year. "Luck was on my side all the way."

He was, perhaps, too successful.

Portland clubs were taking business away from card rooms in La Center. George Teeny, who owns two La Center card rooms, hired Portland lawyer Thomas Rask and a team of lobbyists, who went to Salem and argued that the Portland poker clubs were breaking the law.

"These places are just entirely illegal," Rask says. "They just cannot exist."

Rask pleaded his case to state lawmakers. They introduced a bill to limit poker rooms to nonprofits, such as an Elks Lodge or American Legion chapter, but it went nowhere. Then Rask voiced concerns about the all-cash business to the Internal Revenue Service, the Oregon departments of Justice and Revenue, and city officials, including the Portland Police Bureau. He even sued the city for failing to enforce its ordinances but lost at the trial, appeal and Oregon Supreme Court level.

Typical of the responses was a May 5, 2014, email from Capt. Mark Kruger, commander of the Police Bureau's Drugs and Vice Division, to the City Attorney's Office. "Gambling," Kruger wrote, "is not within our priorities."

But the fact is, Rask was right. Ogai and his peers were regularly violating state laws that prohibit poker clubs from acting as a bank, allowing bets larger than \$1, running cash games, or earning money from holding games.

In the end, however, it wasn't Ogai's competitors that brought him down. It was his own dealers.

Oregon law pertaining to poker is complicated, but the upshot is pretty clear: Poker clubs can exist if they follow certain rules. One of them involves dealers.

Poker clubs are not allowed to employ them. State law specifies that the game has to be "between players," meaning there cannot be professional dealers like the ones casinos employ.

For years, dealers at Encore and other Portland clubs were not paid by the clubs, but rather earned between \$20 to \$40 an hour in cash tips. It was up to them whether they reported their income to the IRS.

Encore had as many as 50 dealers working regularly at the club, records show.

In 2015, one of them filed a complaint with the Oregon Bureau of Labor and Industries, claiming Ogai owed him back pay and overtime.

Ogai said the dealers were volunteers who managed themselves.

"We are a bar/restaurant that attracts its clientele through offering poker tournaments," he wrote to a BOLI investigator on July 31, 2015. He said he'd scrupulously followed city rules, "including their explicit ban on hiring dealers as employees."

The dispute mirrors similar worker battles in Oregon—including fights waged by strippers, yoga instructors and Uber drivers. The question of who is and isn't an employee is at the heart of the gig economy, in which workers enjoy more freedom but have fewer legal protections. When there's a workplace dispute, BOLI decides the case.

After the agency investigated the dispute at Encore, it concluded dealers were in fact employees. In June 2016, it notified Ogai it planned to fine him \$59,000. BOLI acknowledged that dealers were not on the poker club's payroll. But the fact that Ogai controlled who worked, when they worked and how much they got paid made them employees under the law.

BOLI's ruling had an impact on the city of Portland. Previously, city licensing staff had responded to complaints about poker clubs in a piecemeal fashion, but now they jumped on the issue of professional dealers.

A month after BOLI's ruling, Anne Holm, who issues social game permits for the city, issued an ultimatum.

"Designated dealers are not allowed," Holm wrote to Ogai and other club owners on July 12, 2016. "The dealer must rotate among players." In other words, Holm said clubs could not have dealers who weren't also players.

Typically, poker players focus on playing, not dealing. Professional dealers manage what can be a complex and contentious game without having a financial interest in who wins.

Ogai delivered the bad news on Facebook to his customers.

"This rule effectively puts all of the social gaming in Portland out of business," he wrote on July 14, 2016. "In light of this, [Encore] is closing its doors effective today."

Little more than a month after Encore shut down, Vetter, Ojai's friend, delivered stunning news on a 1,500-member Facebook page for local poker players: Ogai was dead.

The report puzzled the poker community—Ogai was a trim and vigorous 38 years old.

A police report obtained by WW from the Washington County Sheriff's Office provided an explanation: On Aug. 29, 2016, Ogai fatally shot himself.

Ogai's mother told a responding officer that for the previous month, Ogai had been severely depressed since "his business, the Encore Poker Club, had been shut down."

Despite the city's letter and Ogai's interpretation that it meant the end of legal poker in Portland, many of the city's other poker clubs conducted business as usual.

In fact, just a few months before Ogai's suicide, Portland Meadows started its own poker club.

In the fall, the city licensing office decided to step up enforcement, sending undercover private investigators into four clubs.

Records show the investigators visited each club three times and focused on the violation that took down Ogai—professional dealers.

On Dec. 16, the city proposed a penalty: The clubs would have to close for two weeks and begin complying with the law. Two clubs accepted the suspension. Final Table and Portland Meadows will fight the city at an April 17 hearing.

The owners of both clubs declined to comment, but their attorney, Joe Mabe, says they are seeking a positive resolution.

"My clients remain committed to operating social gaming clubs that are consistent with the city's oversight and regulation," Mabe says, "so that our community can continue to enjoy poker at safe, secure locations."

The Revenue Division's Williams says the best solution would be to simply shut down the game in Portland. "That would eliminate the gray area," Williams says. "And then it would be a police issue."

That would please Washington state's card rooms. But players say it would simply force Portland poker underground, where it flourished before licensing. That would be a little bit like criminalizing marijuana again.

"We'd go back to having what are effectively illegal casinos," says Mark Humphrey, Ogai's attorney in the BOLI investigation.

Denison and Levy, who produce a weekly poker podcast, say that as with marijuana, the better approach would be legalization, regulation and taxation.

The players say the demise of Encore and Ogai reveals a double standard. The Oregon Lottery promotes its product with the zeal of a carnival barker and is the state's second-largest revenue source, bringing in more than \$500 million a year. Native American casinos across Oregon beckon gamblers. Horse and greyhound racing are legal, as is off-track betting. And every office tolerates gambling on fantasy football and NCAA Tournament basketball.

Yet poker is effectively illegal.

"From the player's perspective, it feels like hypocrisy," Denison says. "State-funded lottery is everywhere. Why not poker?"

### **House Rules**

Portland's poker rooms are licensed and operating openly. Yet several of their practices appear to violate the law.

- The "house" cannot act as a bank. A 2010 Oregon Department of Justice opinion—requested by the Oregon Lottery, a competitor of poker rooms—found that "acting as a bank" meant "having any involvement in the financial aspects of the game, including selling, keeping, and redeeming chips even if the house makes no profit from doing so."

So, a player can't even legally exchange cash for chips, a practice in place at every Portland poker club.

- The city of Portland's social gaming ordinance says, "No player shall bet more than \$1 in money or other thing of value in any one game."

In practice, players can't bet less than \$1 per hand and usually bet substantially more.

- Clubs are also prohibited by city code from making money "from the operation of a social game."

Portland poker clubs earn money in two ways: by selling food and drinks to players, and by charging an entry fee, typically \$10 to \$15.

Yet the city says clubs cannot legally charge patrons a door fee if they are coming to the clubs only to play poker—doing so violates state law prohibiting "house income."

- Poker clubs are not allowed to employ dealers.

Dozens of dealers manage the games at Portland's card rooms. Operators dodge the rule by declaring the dealers independent contractors.

But the state disagrees—a big reason Encore Poker Club folded.

### **Raked**

When Hold 'em players go to Las Vegas or La Center, Wash., or visit one of Oregon's eight tribal casinos, to play a cash—i.e., non-tournament— game, the house takes a per-hand charge that players call "the rake."

But at Portland clubs, there is no rake—just a door charge, after which players can play until they drop or run out of money.

Jonathan Levy, a Harvard-educated autism consultant who made his living playing poker for the past decade in Portland and Las Vegas, says that, for regular players, not charging a rake is a "very significant" part of the appeal of Portland poker clubs.

The rake acts as a per-hand tax that quickly diminishes winnings. A player might play 30 hands per hour and sit for eight hours. That's 240 pots, and with the rake, the house gets a piece of all of them. Not in Portland.

Jeremy Harkin, a local poker pro, travels widely for tournaments. "The beauty here is, they don't take any money out of the pot," Harkin says. "People all over the country are amazed when I tell them we play rake-free poker in Portland."

Here's how the rake works: At a poker club in Portland, you pay \$15 to get in the door and can play as long as you want, say, eight hours. If you played the same amount of time at a casino, where the house takes, for example, \$4 from every pot, the math is much different: \$4 times 30 hands an hour times eight hours divided by 10 players yields a cost of \$96 per player for the same amount of poker.

### **The Long Game**

Portland has a long and sordid history with gambling. Here are some key dates.

**1904:** The Evening Telegram reports, "Portland had five of the biggest gambling houses in the U.S."

**1948:** Mayor Dorothy Lee attacks Portland's organized crime, whose roots are "slot machines and punchboards."

**1956:** After a massive corruption scandal, Portland voters outlaw pinball machines that pay cash prizes.

**1973:** Lawmakers legalize "social gaming," i.e., nonprofit gambling for fun rather than money.

**1984:** State voters approve creation of the Oregon Lottery. Portland passes a social gaming ordinance that allows some card games.

**1988:** Federal law legalizes casinos on Native American reservations.

**1994:** The Cow Creek tribe opens Oregon's first Indian casino in Canyonville.

**2008:** Portland begins licensing poker clubs.

**2016:** BOLI rules that Encore Poker Club's dealers are employees. Encore closes.

## **Quanice Hayes' Mother Asks for a Federal Investigation Into "Execution-Style Murder of My Son"**

*By Aaron Mesh  
March 22, 2017*

The mother of a Portland teenager killed by police in January has decried the decision not to indict the officer who killed him, and demanded a federal investigation into what she called "the execution-style murder of my son."

Venus Hayes was quiet and firm this morning as she stood outside the Portland Building, describing a "bloodthirsty, murderous-minded" officer who shot her 17-year-old son, Quanice Hayes.

"Obviously the D.A.'s office is not for us," she said, "so I would like a higher authority to help us do an investigation so we can learn the truth about what happened to my baby."

On Tuesday, a Multnomah County grand jury ruled Officer Andrew Hearst's Jan. 9 shooting of Hayes was justified. A Portland Police summary of the grand jury's findings revealed that Hayes was crouched in an alcove of a Northeast Portland home, reached for his waistband, and had a replica gun beside him.

Police pointed to evidence that suggested Hayes had, earlier that morning, carjacked a man for his Oregon Trail card and held him at gunpoint for 30 minutes.

Venus Hayes disputed that account. "Quanice was on his knees when he was shot in the head and in the chest," she said. "I think that's important when anybody wants to say that he was this dangerous robber, which is irrelevant at this point because he's not here to stand up for himself."

In a City Council meeting, Mayor Ted Wheeler described Quanice Hayes' death as a "tragedy."

Here is the full video of Venus Hayes' remarks, from WW's news partner KATU-TV. (Scroll forward to the 30-minute mark.) The transcript of her remarks is below.

*Hello. I am the mother of the real victim, Quanice Hayes. I would like to speak on behalf of myself and my supporters. Let's start by looking at the facts as accounted in summary provided by Police Detective Camora and also by District Attorney Don Reese.*

*Let's not lose sight of the real issue at hand. My son, Quanice Hayes, is the real victim in this situation. According to police, in cahoots with DA Don Reese, who tried to paint my son, my 17-year-old child, as a robber or a car prowler, all of which is not a reason to be executed in the United States of America or in the State of Oregon.*

*The fact remains that we will never know the truth about whether Quanice even committed those crimes because on the morning of Feb. 9, 2017, Quanice had the misfortune of having a bloodthirsty, murderous-minded Officer Andrew Hearst arrive on the scene. And, the same as in the Merle Hatch case, when Office Hearst shows up, someone has to die. Unfortunately, my son was his latest victim.*

*As reported by all news stations as of today, none has reported, nor has the DA mentioned, that Quanice did not in fact produce a replica gun and point it at officers, at any of the five officers that were on the scene.*

*I'd also like to say that since the beginning of this, on the day of Feb. 9, we have been misinformed or given false information. I found out that Quanice was killed nine—four—hours after he had already died, and I found out through Facebook. Nobody at the D.A.'s office or the Portland Police Bureau felt the need to contact me or my family to let us know that our loved one had passed away. Any information that we received after that we learned from the media. I've asked numerous times that the Portland Police contact us directly before releasing any kind of information.*

*They misinformed us, and told us Quanice was shot three times in the chest. We later found out from the death certificate that that wasn't true, that Quanice was shot in the head and twice in the chest. Also, the Portland Police and Detective Camora and the D.A.'s office told us that there was three officers on the scene. There was in fact five officers on the scene. None of the other officers felt the need to use deadly force, only Officer Hearst.*

*Quanice was on his knees when he was shot in the head and in the chest. I think that's important when anybody wants to say that he was this dangerous robber, which is irrelevant at this point because he's not here to stand up for himself.*

*We would like to ask that the federal government step in and do a full investigation into the execution-style murder of my son.*

*From the very beginning, we've been lied to about my son's death, and still any information I have received about my son's death has been verbal through the D.A.'s office and my attorney. I learned how he died from the death certificate. They didn't*

*even tell us the exact place that he had died; I had to learn that from the death certificate.*

*I would like the community to stand with me and my family. Obviously the D.A.'s office is not for us, so I would like a higher authority to help us do an investigation so we can learn the truth about what happened to my baby.*

## The Portland Mercury

### A Complaint About a "Police Official" Spurred Amanda Fritz's Opposition to Experimental All-User Restrooms

By Dirk VanderHart

March 22, 2017

Earlier this month, City Commissioner Amanda Fritz caught hell for her opposition to Portland's experimental multi-user, gender-neutral restrooms.

While Fritz [last June supported](#) converting two multiple-stall restrooms on the second floor of the Portland Building to allow users of any gender, she'd come to see them as unsafe and threatening, according to an email [obtained by Willamette Week](#).

It turns out Fritz's change of heart (which she's [since changed](#) again) wasn't due to any local instances involving the types of leering perverts opponents of gender-neutral restrooms sometimes conjure.

Instead, they were inspired by the bathroom etiquette of a Portland "police official," according to one complaint.

Last October, Fritz received an email from a community member that the commissioner has credited with helping form her thoughts.

The identity of the sender was blacked out in a version of the email the Mercury obtained via a public records request (reason: "personal safety"), but it appears the sender is female, and may have attended a meeting of the city's Citizen Review Committee on October 5. The committee deals with police discipline issues and meets near the restrooms in question.

"You may be aware that the group restrooms on that floor were converted to all users mode," the sender wrote to Fritz on October 6. "I entered what used to be the women's room and found one of the uniformed male police officials in there using the toilet with the stall door ajar. I know men are accustomed to using the facilities in view of their fellow restroom users, but I'm not. The situation made me pretty uncomfortable."

The writer continued: "I don't know if I'll ever be ready to share group restrooms with men."

Fritz wrote back that she'd have "similar concerns if I had had a similar experience, and I hope this issue will be discussed as one where many women would be deterred from using the facilities if we can't figure out how to make restrooms comfortable for all." She copied Commissioner Nick Fish, who helped pioneer the restroom project, along with the city's then-chief administrative officer, Fred Miller.

**Update:** Fish tells the Mercury that the complaint might actually have been about a uniformed security guard, though the complainant said it was a police official.

## Original:

When she sent an email months later voicing anger and threatening a council resolution about the all-user restrooms, Fritz said she'd stood on a toilet and determined it was too easy to peer over the partitions (or under). "Women and trans people in Portland have to be hyper-vigilant every day, in our goal of getting through each week without being physically or verbally assaulted," she wrote, Willamette Week reported.

But when the Mercury asked about her concerns, Fritz first mentioned the October e-mail. She characterized it at the time as describing a man with the stall door open and his "pants around his ankles," though the email doesn't mention any such detail.

Fritz also mentioned that the group [PHLUSH](#) had submitted a report [[PDF](#)] that suggested changes that could make the experimental restrooms to feel more safe. The restrooms began as a pilot project last year, as part of an effort to make city-owned facilities more welcoming to transgender citizens. Along with the two multi-user experiments, roughly 600 single-use restrooms were converted to accommodate all genders.

Though she has now apologized for the impact her comments had had, they've led to changes. One of the two experimental restrooms in the Portland Building has been converted back to a women's room. The remaining restroom has had new permanent barriers installed to block out a pair of urinals.

**Update 6:10 pm:** Fish calls to correct. An all-user restroom was installed on the Portland Building's first floor to replace the one removed on the second. Fish says those restrooms will become permanent and state-of-the-art when the building undergoes an approaching renovation.

## Quanice Hayes' Mom Criticizes Police, Prosecutors After Officer Who Killed Her son Isn't Indicted

*By Doug Brown  
March 22, 2017*

A grand jury [declined yesterday to indict Portland Police Officer Andrew Hearst](#), who [shot and killed 17-year-old Quanice Hayes](#) last month. The teen's mother gathered with supporters and the media outside the Portland Building this morning to criticize the Portland Police Bureau (PPB) and the Multnomah County District Attorney's Office (MCDA).

"My son, Quanice Hayes, is the real victim in this situation," Venus Hayes said. "The Portland police, in cahoots with DA Don Rees and will try to paint my son—my 17-year-old child—as a robber or a car prowler, all of which is not a reason to be executed in the United States of America or in the State of Oregon."

The PPB reported that Quanice matched the description of an armed robbery suspect they were looking for in the area of NE 82nd and Hancock. A press release from the PPB yesterday after the grand jury decision said Quanice had possession of some of the stuff the robbery victim told police was stolen from him—including an Oregon Trail EBT card. Officers, the bureau says, discovered Quanice "crouching" in a nearby alcove of a house after reports of a potential break-in. He was shoot three times, twice in the chest and once in the head.

Here's the PPB's description of what happened:

*Officers ordered Hayes to crawl out of the alcove, which he started to do, but then stopped and got upright on his knees. Hayes was ordered multiple times by officers to keep his hands up, but made repeated and deliberate motions with his hands to the area of his waistband and pockets. During this encounter, Officer Hearst fired three shots from his patrol rifle at Hayes, striking and killing him. After the shooting, officers approached Hayes to take him into custody and render immediate medical aid. Medical personnel arrived and determined that Hayes was deceased. A desert tan-colored handgun was found next to Hayes on the ground. It was later determined that the handgun was a realistic-looking replica firearm.*

Hearst, and others officers, did not have a body camera.

Venus Hayes, this morning, said "Quanice did not, in fact, produce a replica gun and point it at the officers.... Quanice was on his knees when he was shot in the head and chest."

She criticized the bureau's communication with her and said they lied and provided "misinformation" to her. She asked for a federal investigation.

Here's the video: <https://vimeo.com/209623796>

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## **A Private-Sector Group Wants to Pay to Move Right 2 Dream Too Into the Pearl**

*By Dirk VanderHart  
March 22, 2017*

As a deadline for the removal of homeless rest area Right 2 Dream Too approaches, a group of developers-turned-homeless advocates is floating an intriguing idea: Moving the camp to Centennial Mills.

[Oregon Harbor of Hope](#)—the same crew that [unsuccessfully pushed](#) for a massive homeless shelter at Terminal 1 last year—has offered Mayor Ted Wheeler to pay for improvements to a horse paddock on the [long dormant mill site](#) on the Pearl District's eastern edge. The paddock had been used by the Portland Police Bureau's Mounted Patrol Unit before a recent spate of demolitions on the property moved the horses elsewhere.

But it's still standing, owned by the Portland Development Commission (PDC), and—in Harbor of Hope's mind—a fine temporary possibility as R2DToo casts about for a new permanent home.

"Harbor of Hope would be willing assist in the redevelopment of that facility as a temporary facility for 100 people," says Don Mazziotti, a former PDC director who founded the organization along with prominent developer Homer Williams. "If it doesn't happen, those 100 people are going to be on the street."

There's a bit of irony in the proposal: Williams and his development partner, Dike Dame, were [the chief voices](#) opposing a proposal to move R2DToo to the Pearl in 2014. Now they want to help it move into the neighborhood.

Mazziotti says his group has telegraphed their willingness to pay to improve the site for R2DToo to Mayor Ted Wheeler's office in the last month. He did not characterize Wheeler's response.

"We have heard about this idea... and a few others," Wheeler spokesperson Michael Cox says. "A number of them are under discussion." Earlier this year, Wheeler [shot down](#) a proposal to move the camp to a SW Naito Parkway parking lot.

**Update, 2:06 pm:** Mazziotti now writes, notably CCing Wheeler's chief of staff, to say the property "appears to be off the table and that the Mayor's office is working on one or more alternative sites for R2D2. We are good with that and, as I noted, the Mayor's office has been extremely helpful in trying to find a viable solution and one which Oregon Harbor of Hope will assist in, should that be needed. The MPU is off the table."

So it looks like Centennial Mills is a nonstarter at City Hall.

#### **Original post:**

Whatever discussions are happening behind closed doors, Sarah Iannarone, a former mayoral candidate and Harbor of Hope ally, brought the Centennial Mills offer out into the open at this morning's Portland City Council meeting. The council was discussing a [resolution](#) (which passed) to authorize the PDC to fully develop the mills property, after several false starts for projects that aimed to keep historic structures.

"It's our understanding that the [horse paddock] there is sound an habitable and that there is going to be a significant time lag between now and when construction's actually going to begin," Iannarone told the council. "This is actually a sound option for moving to R2DToo in the short term."

Commissioner Nick Fish wondered if there could be zoning issues with such a move, but Iannarone pointed out the city's still under a housing state of emergency designation that allows officials to override some zoning conditions in order to establish shelter.

Commissioner Amanda Fritz, who's worked for years to move the homeless rest area, inquired what sorts of infrastructure Harbor of Hope might build. She said anything indoors would "not fit the Right 2 Dream Too model," which for more than five years has involved housing people nightly in group tents.

Fritz noted: "It's an interesting concept to explore. It would not be any kind of thing that would go inside with cots."

Lisa Abuaf, PDC's manager for central city properties, tells the Mercury the urban renewal agency would need to hear details about a proposed move before taking a position. She notes that utilities might have been removed in recent demolitions.

"We would need to understand what kind of utility improvements need to be done," Abuaf says. "It's been operated as a horse paddock."

She also notes: "PDC has been supportive of the city in terms of identifying our properties" that could be used for homeless camps. Centennial Mills has never been explicitly part of the discussion, she says.

The PDC could solicit development proposals for the site this year, and would need assurances about a timeline for R2DToo to use the property, Abuaf says.

In fact, it's a PDC deal that might force the camp from its home beneath the Chinatown Gate by April 7. As [we've reported](#), the agency has a tentative agreement to purchase that plot for \$1.2 million—but only if it's free of occupants. If property owner Michael Wright and his co-owners allow the camp to stay, they could forfeit more than \$300,000 the city's paid under the agreement to-date.

Mark Kramer, an attorney for both R2DToo and Wright, has repeatedly voiced confidence the camp would remain in place past the April 7 date (it was [originally supposed to move last October](#)) but declined to go into specifics.

But Mazziotti believes Centennial Mills is a good idea. He says his group hasn't communicated with R2DToo's board of directors, but has received word from [Ibrahim Mubarak](#), the camp's former leader, that it would be willing to move under certain conditions.

"It would not be too costly," Mazziotti says. "Even if it were we could mobilize donations from the public sector in a relatively short period of time."

## Daily Journal of Commerce

### Minority-owned firm lands big city contract

*By Garrett Andrews*

*March 22, 2017*

This month, the city of Portland awarded Raimore Construction a \$1 million contract – the largest ever issued by the city to a minority-owned firm.

Raimore Construction will perform improvements to Lents Park. The project is funded by the 2014 Parks Replacement Bond, which authorized up to \$68 million in bond funding.

Raimore last year won from TriMet a \$7 million contract – the largest one the transit agency ever issued to a minority-owned firm. The company was founded in the early 2000s and has since worked on transportation projects including TriMet's green and orange light-rail lines and the Portland Streetcar.

## Oregon Public Broadcasting

# Mother Of Teen Killed By Portland Police Calls For Federal Investigation

*By Conrad Wilson and Amelia Templeton*

*March 22, 2017*

The mother of a 17-year-old African-American teen shot and killed by a Portland Police officer in February is calling for a federal investigation into the death of her son.

"I would like the community to stand with us, with me and my family," said Venus Hayes, the mother of Quanice Derrick Hayes, during a news conference in downtown Portland on Wednesday.

On Tuesday, a Multnomah County grand jury declined to charge officer Andrew Hearst in Hayes' shooting death.

"Quanice was on his knees when he was shot in the head and in the chest," Hayes said. "I think that's important when anybody wants to say that he was this dangerous robber."

Hayes said her son is the victim in the case and that he was painted by police as a robber or a car prowler.

"All of which is not a reason to be executed in the United State of America or the state of Oregon," Hayes said.

Multnomah County District Attorney Rod Underhill said Tuesday that there are still many questions surrounding the details of the incident. He said transcripts of the testimony heard by the grand jury would be expedited and, he expects, released to the public.

"Early on, I met with Quanice Hayes' mother and other close family members to share my sympathy over the death of their loved one," Underhill said in a statement. "I further recognize the impact on Officer Hearst, his family and co-workers as well as our community as we collectively move forward."

On Feb. 9, Hearst received a report of an armed robbery at 7:24 a.m. at the Portland Value Inn hotel on 82nd Avenue, police said in a statement Tuesday.

"The victim told police that the suspect, later determined to be Hayes, put a gun to his head and held him hostage for approximately 30 minutes in the car then stole his Oregon Trail EBT card and an item of clothing," the Portland Police Bureau wrote in the statement.

Police said they also received a 911 call at 7:26 a.m. about a car prowler at the nearby Banfield Pet Hospital.

"An article of clothing found in the victim's car was linked to the robbery victim at the Portland Value Inn," police said.

A second 911 call was logged at 7:36 a.m., when a homeowner on Northeast Tillamook Street said an "unwanted person" entered his or her yard.

"The caller provided a description of the suspect consistent with the previous two 9-1-1 calls," police said. "Near the Tillamook address, Hayes left behind a small bag and items scattered about the ground, some of which were determined to have come from the car prowl at the Banfield Pet Hospital."

Police said they located Hayes at 7:48 a.m. and he ran. Officers then set up a perimeter and began to search for Hayes using a police dog, according to the statement.

Officers said they located Hayes at 9:21 a.m., crouching in an alcove between a house and a garage located on Northeast Hancock Street.

“Officers believed he was armed with a handgun, as reported by the robbery victim, and was involved in the car prowling and burglary,” Portland police said.

“Hayes was ordered multiple times by officers to keep his hands up, but made repeated and deliberate motions with his hands to the area of his waistband and pockets,” the statement continued. “During this encounter, Officer Hearst fired three shots from his patrol rifle at Hayes, striking and killing him.”

Hayes’ mother indicated that her communication with the Portland Police Bureau and district’s attorney office is strained. She said she’s been referring their calls to her lawyer.

Hayes said she found out her son was killed nine hours after the shooting, and first learned of his death on Facebook.

Police Bureau spokesman Pete Simpson confirmed that Hayes learned of her son’s death on social media before detectives were able to officially notify the family, which he called “truly regrettable.”

Simpson said the effort to notify the family was delayed because Hayes wasn’t carrying ID. His fingerprints initially matched a different name in the police database, and it took officers time to determine his real identity.

The Oregon Medical Examiner determined Hayes was shot twice in the torso and once in the head.

But during Wednesday’s news conference, Hayes’ mother said she and others had been misinformed by police.

“We later found from the death certificate that that wasn’t true, that my son was shot in the head and twice in the chest,” she said.

Hayes had cocaine, benzodiazepine and hydrocodone in his system at time of death, according to the Medical Examiner’s Office.

Hayes said she was originally told by police and the Multnomah County District Attorney’s Office that there were three officers on the scene.

Speaking Wednesday, she said she now believes there were five officers at the scene. Hayes said those inconsistencies make her question the police force’s account of events.

“None of the other officers felt the need to use deadly force,” Hayes said, “only Officer Hearst.”

Police Spokesman Pete Simpson said the bureau has provided accurate, if limited, information to the Hayes family about the shooting.

“It is standard to keep investigative information private during an open investigation of any kind, not just officer-involved shootings,” he said.

A spokesman for the U.S. Attorney’s office said he could not comment on the Hayes family’s request.

# Portland Mayor: Homeless Camp Will Stay For Now

*By Amelia Templeton*

*March 22, 2017*

Portland Mayor Ted Wheeler has proposed bringing in mediators to help determine the fate of the Hazelnut Grove homeless encampment in North Portland.

Wheeler answered questions about the camp at a meeting of the Overlook Neighborhood Association on Tuesday night.

Wheeler said he and Commissioner Chloe Eudaly are suggesting a group called Resolutions Northwest, which helps mediate conflicts between neighbors on behalf of the city.

“If you guys come to the conclusion, and it’s an overwhelming consensus, [to] get rid of it, I’ll work as hard as I can to find an alternative location for the people at the bottom of the hill,” Wheeler said. “But I’m just being honest with you: I don’t have a ready-made solution for them. I don’t.”

More than a dozen people live in the unpermitted camp, many in tiny wooden homes. It sits in part on land the city owns, on a steep slope between Interstate Avenue and Greely Street.

To its supporters, the camp is an important alternative to a traditional homeless shelter. To its detractors, it is a reminder of former Mayor Charlie Hales’ unpopular decision to allow homeless people to camp on public land.

The proposal for further discussion about the future of the camp did not appear to go over well with the neighborhood association members.

“The neighborhood association has gotten together and very clearly said, ‘Please, be done with this,’” resident Valerie Campbell told the mayor. “We do not want Hazelnut Grove here.”

Many noted the slope the encampment sits on is prone to both landslides and wildfires, according to property information published on the city’s Portland Maps website.

Overlook resident Mike Murphy said he worries a fire that starts in the camp could quickly move uphill into his neighborhood.

“That is not a safe place. Is it worth losing a life, not only in the homeless camp, but in the neighborhood?” he asked Wheeler.

But Wheeler refused to commit to closing the camp, saying his office is getting calls from Hazelnut Grove’s supporters as well as its opponents.

Echoing arguments made by Hales, Wheeler noted the difficulty of finding acceptable sites for homeless camps and shelter space, and said he doesn’t have another place to send the homeless people living at Hazelnut Grove.