

The Oregonian

Portland mayor struggles to keep work environment safe, quell protesters

*By Jessica Floum
March 24, 2017*

Tension hung in the air at Portland City Hall Thursday after protesters took over the City Council meeting Wednesday, wearing gas masks, wielding sticks and projectiles and yelling crude comments about Mayor Ted Wheeler's mother.

Commissioner Nick Fish told all employees in his bureaus and on his staff to stop attending City Council meetings, saying the sessions have become too dangerous.

Wednesday's protest was the most chaotic and disruptive to date, but just the latest in a series that are slowing progress of city business.

Protesters have repeatedly shut down Portland City Council meetings, starting months before Wheeler took office. They've obstructed commissioners from executing city initiatives and prevented city staff and community members from speaking on issues.

So far, Wheeler has failed to stop them.

He tried, but failed to quell protesters by starting biweekly open forums where Portlanders can complain about city action and inaction. He introduced and helped pass a controversial rule for removing and excluding disrupters from meetings. He often calls recesses.

But the mayor has stopped short of having incendiary people removed or arrested, a decision that has drawn criticism from city employees, protesters and American Civil Liberties Union Legal Director Mathew dos Santos.

"They mayor doesn't seem to use any of the tools that are at his disposal," Dos Santos told The Oregonian/OregonLive in an interview last week.

Mayoral spokesman Michael Cox said Wheeler wanted to try establishing a code of conduct before resorting to ejecting or arresting people. He sees the latter as an escalation, Cox said.

"The mayor takes the issue of abusive disruptions very seriously and the concerns of his colleagues on the council very seriously," Cox said. "He plans to have conversations with them about how we might better ensure decorum in City Council chambers going forward."

Wheeler called at least three recesses during Wednesday's meeting, interrupted by people who wore mostly black clothing, red beanies, and paper targets. But he never kicked them out.

Cox would not say why.

Earlier that morning, people sported black hoods, hid their faces with bandanas and lofted a banner with a hooded figure's fist and the anarchist "A."

City Clerk Karla Moore-Love said it was the worst day she's seen in her almost 30-year career with the city.

"There's always been bad players," Moore-Love said. "I've never seen so little done about it. The mayor decided we'd just put up with it."

Unsafe work conditions

Citing "unsafe working conditions," Fish directed his bureau employees and office staff to stay clear of council sessions, according to an email obtained by The Oregonian/OregonLive.

"I have a responsibility to maintain a safe workplace," Fish said in a text to The Oregonian/OregonLive. "Council meetings are no longer safe."

Fish's Community Liaison Asena Lawrence called protesters' actions Wednesday a "vicious attack" that made her shake and cry after enduring it for three hours. She said protesters made sexual comments to her while she tried to testify about her Turkish-American heritage before the Council voted to make Portland a sanctuary city. But that's not what made her cry.

"A lot of people who came (to testify) are immigrants and refugees," Lawrence said. "These are already marginalized communities. It was hard to see these community leaders try to interact with these protesters and get flat out disrespected and shouted over."

A Portland security official said he could hear yelling from the first floor of the Portland Building, even though the protesters were in a meeting that took place behind closed doors on the second floor.

Wheeler called the outbursts of protesters on Wednesday "hostile", "abusive" and a "stain on the civic life of our city." He apologized in a Facebook post to people who tried to testify only to get shouted over.

"I am saddened - and frankly embarrassed - by the behavior of many attendees, who were not there to participate in civil discourse but to disrupt," Wheeler wrote.

Marshall Runkel, chief of staff to Commissioner Chloe Eudaly, has attended more than 100 Portland City Council meetings in his current and previous jobs. He said Wednesday afternoon's meeting was the worst he witnessed.

"It was chaos in there," Runkel said.

Protesters have repeatedly shut down council meetings since January, demanding the mayor release information about a black teen killed by police and try harder to prevent homeless people from dying.

They've worn targets on their chests, called the mayor fascist, mocked commissioners' "aye" votes with demonic renderings and laughed when the mayor tried to quiet them. At one meeting, protesters called Eudaly a profane name, which several of her staffers said visibly upset her.

Although typically small in numbers, perhaps a dozen or two, the protesters have had a big impact.

"It has been building," Fish said in a text. "Yesterday was the final straw."

Lack of enforcement

Frequent protester Mimi German started attending council meetings to protest what she called a minimal effort by the city to help Portland's homeless. She said the actions of some of other protesters are ineffective and harmful to her cause, but the protesters have a right to do what they're doing.

German also acknowledged the right of city officials to throw out agitators but condemned the rule the council passed last week that permits prospective exclusions.

"The city council has protocol to throw people out," German said. "Why they don't do that is a question for them. You're supposed to use the protocol that's there, and you're supposed to do your job."

German called the rule passed by the council last week "unconstitutional," and the ACLU agreed.

She did, however, commend the mayor for starting the open forums. She urged him to take the listening sessions a step further by acting and keeping the community informed on those actions.

"To make our government work for us is so difficult," German said. "To be heard is such a necessary step. If his goal is truly to be a better mayor, you have to act."

Fish said he will not allow his staff to return to the council meetings until he is satisfied that they are safe.

The mayor intends to make them safe, mayoral spokesman Cox said. Wheeler does not yet have a new plan to address the disorder, but he will by the City Council meeting next Wednesday, Cox said.

Cox did not specify what that plan is, but said city staff is actively discussing "how best to maintain decorum during council session and efficiently conduct the city's business."

"The mayor clearly stated that the events that transpired yesterday are unacceptable," Cox wrote in a text. "He takes the concerns of our fellow council members and employees seriously. He shares the same concerns."

Federal prosecutors, city of Portland to mediate police settlement issues, again

By Maxine Bernstein

March 23, 2017

Federal prosecutors and the city of Portland have agreed to mediation to solve their stalemate over court and community oversight of their three-year-old settlement on police use of force against people with mental illness.

The City Council voted in December to appeal a judge's order that city attorneys return to court the following month to explain how the city will come into compliance with the community engagement piece of the settlement.

It marked the second time the council has appealed a judge's order dealing with court hearings in the case.

The city's settlement with the U.S. Department of Justice called for reforms to police training, policies and oversight after a 2012 federal investigation found Portland police engaged in excessive force against people who have or are perceived to have a mental illness. Investigators also found that police improperly used stun guns against suspects.

In its petition to the 9th U.S. Circuit Court of Appeals, the city objected to additional in-court conferences before the judge beyond the already-scheduled annual progress report hearings on the settlement.

City attorneys also challenged U.S. District Judge Michael H. Simon's authority over the settlement, objected to members of the public addressing the court at the hearings and asked for a different federal judge to oversee the case.

The city also suggested in the appeal that Simon has exceeded his authority and inappropriately entangled himself in police operations to the detriment of the city's "bargain" with Justice officials.

"The District Court has taken an escalating series of steps to enlarge the proceedings, to insinuate itself into and take control of the settlement agreement, and thus fundamentally to alter the bargain struck by the parties," City Attorney Tracy Reeve wrote. "The District Court is without jurisdiction to conduct ongoing proceedings regarding the parties' progress in effectuating their settlement."

The city requested that another judge be assigned to the case. The city questioned whether it's "getting fair treatment" with Simon and questioned his ability to limit his involvement, Reeve wrote.

On Wednesday, Assistant U.S. Attorney Adrian L. Brown filed an unopposed motion with the 9th Circuit to refer the city's petition to court mediation.

The city and the Portland Police Association, the union representing Portland police officers, sergeants and detectives, have agreed to mediation, Brown wrote.

Meanwhile, the Community Oversight Advisory Board - a citizens group set up to monitor the reforms and provide input on police policies - dissolved early this year after taking a two-month hiatus last year.

City officials have been meeting with federal prosecutors, police union representatives and members of the Albina Ministerial Alliance's Coalition for Justice and Police Reform to craft a different model for community oversight.

That effort is ongoing, Reeve said Thursday.

The appeal isn't intended to delay progress, Reeve said. The city is "actively engaged" in working with the other parties to re-establish another community board, she said.

The Albina Ministerial Alliance's coalition, a group of community members who advocate for police accountability and improved relations with law enforcement, has challenged the city's appeal and supports Simon's continued role in the case.

Simon is familiar with the case, well-acquainted with the parties and respectful of their concerns, and has demonstrated a "deep understanding of the issues," the coalition's attorney, Shauna Curphey, wrote.

The city also should be required to conduct its business in public, the coalition's brief said.

"The City claims it participated in the settlement of the DOJ's allegations in part 'to enhance transparency, and to build trust and legitimacy with the community,'" Curphey wrote. "Its petition, which asks this Court to limit the number of status conferences and to prohibit public comment, undermines that goal."

Simon also responded to the city's appeal, noting that Justice attorneys asked him to hold additional status conferences in court because of their concern about "significant barriers" with the city meeting its community engagement obligations.

Less than a third of the last court hearing was devoted to public comments, the judge said. The rest of the time was taken up with presentations from city attorneys or people they asked to speak and the other parties to the case, he said.

In 2014, the city appealed a different ruling by the judge, who then said he might ask the city to present evidence at periodic court hearings about the progress of settlement reforms.

City and federal officials ended up spending months in mediation and coming to an agreement in early 2015 that set out who would provide updates to Simon and on what in annual hearings and made clear that the city and all other parties wouldn't have to present evidence at the proceedings.

The Portland Tribune

After audit, neighborhood office director resigns

By Lyndsey Hewitt

March 23, 2017

Amalia Alarcon de Morris has stepped down as director of the Portland Office of Neighborhood Involvement, five months after a scathing audit of the agency.

She served 11 years as director and 18 years total at the bureau. Alarcon de Morris sent an email last week to employees saying her goodbyes, while her last day at work was March 20. She did not respond to requests for comment.

Part of her email to staff reads, "Please keep reaching for equity. Always ask yourself, who is missing from our conversations? Who is benefited and burdened by what we do? What might the unintended consequences be of our program decisions."

In November, a city audit criticized the bureau for not holding grantees accountable, not completing major tasks assigned to the office, and generally poor oversight.

The Office of Neighborhood Involvement oversees the city's neighborhood system, which includes seven neighborhood coalitions and 95 neighborhood associations. Its other responsibilities include noise control, graffiti abatement, marijuana regulation and liquor licensing.

Commissioner Chloe Eudaly, who oversees the bureau, has been tasked with addressing issues raised by the audit.

Serving as director in the interim will be David Austin, the commissioner's chief of staff, and Amy Archer, the bureau's current operations manager.

When asked what they'll be looking for in a new director, Austin wasn't sure.

"The commissioner wants to make sure she finds the right fit for this important office," he said.

"This isn't an apples and oranges type of thing, so we're not going to make any fast decisions."

However, he said that because of the city's growing immigrant and refugee population, they're trying to find "someone who will move things to the next level."

They're also looking at internal reorganization.

Juliette Muracchioli, graffiti abatement director, was worried her office could come under the ax, just as graffiti hate crimes in the city have risen.

"In order to gain on the increases ... we'll need more resources and capacity than we have," Muracchioli said.

Earlier this month, Nazi swastikas were found painted on property throughout the Richmond neighborhood. ONI's graffiti abatement program provides professional removal services and supplies.

The city budget office has recommended against eliminating the graffiti abatement program and has recommended a new full-time employee and \$465,000 in new money for a program called Portland United Against Hate, which will "enhance reporting of hate crimes, hate speech, and acts of intimidation."

Going forward, Northeast Coalition of Neighborhoods Executive Director Adam Lyons hopes to see more transparency within the neighborhood system and "good faith belief that we can all kind of work together."

The Portland Mercury

Ted Wheeler's Home Has Once Again Become a Target for Protesters

*By Dirk VanderHart
March 24, 2017*

As he preps for his first State of the City Address this afternoon, Mayor Ted Wheeler continues to be plagued by a small group of demonstrators demanding he leave office—and asking for a lot of other things besides.

For the last two nights, a group of people has camped out in front of Wheeler's Portland Heights home, according to the mayor's office and images making the rounds on Facebook. Unlike the first time demonstrators surprised the mayor as he was getting ready for bed, Portland police are on hand, according to Wheeler spokesperson Michael Cox.

But it's clearly grating Wheeler.

Photos and videos posted to social media show a handful of demonstrators outside of Wheeler's home yesterday, with refuse, messages like "ACAB" (all cops are bastards) and outlines of bodies in chalk littering the sidewalk in front of the mayor's precisely manicured lawn.

"That's decided on a night-to-night basis," one occupier told a Facebook user called Dory Dae, who asked how long they planned to stay.

The protest appears to have been inspired by news this week that a Portland police officer, Andrew Hearst, won't face criminal charges in the Feb. 9 shooting death of Black 17-year-old Quanice Hayes.

That was the decision of a Multnomah County Grand Jury, which heard the case from a county district attorney. Yet Wheeler, the city's mayor and police commissioner, has borne the brunt of the backlash. Many are calling a profanity-laced City Council meeting on Wednesday the worst they've ever seen.

Cox says the demonstration in front of the mayor's home has ranged from two to 30 people. "Two nights ago, they were playing drums," he says. The protest has been dubbed "Wheelerfest" by at least one participant, Jeff Singer, who bragged on Facebook of urinating in front of the mayor's house in full view of police.

There has also been talk of police taking demonstrators' property, and potentially injuring one person in the process. We've asked the Portland Police Bureau for information.

Update: Police confirm they've picked up some items, but say they've not made any arrests or used force. From PPB spokesperson Sgt. Pete Simpson: "They have been warned about private property and erecting structures. If someone was injured, it wasn't from us as we haven't used any force. Property that was abandoned was removed - nobody would claim ownership."

Original post: All this comes as Wheeler's office is struggling to develop a strategy for calming City Council meetings that frequently spin out of control. On Thursday, Commissioner Nick Fish announced he wouldn't allow his employees to attend a City Council meeting unless the mayor came up with a new plan.

Wheeler has tried to extend an olive branch to demonstrators, offering to sit down with them periodically to listen to their concerns, which largely involve police behavior and homelessness. As of now, it doesn't appear to have worked.

"Our administration is in active discussions as to how best maintain decorum in the chamber," Cox says. "In the next council session on Wednesday, you can expect to see some changes."

After Outbursts and Insults, Nick Fish Won't Let his Employees Attend City Council Meetings

By Dirk VanderHart

March 23, 2017

This post has been updated with remarks from Commissioner Nick Fish.

Even in the context of increasing protest we've seen in Portland City Council meetings since late in Charlie Hales' term, yesterday was striking.

Inspired by news a Portland police officer won't face criminal charges for killing a Black 17-year-old, demonstrators laid into council—and particularly Mayor Ted Wheeler—with ongoing streams of profanity, even as Wheeler urged people to continue their testimony.

That hands-off approach appears to have rubbed one commissioner the wrong way. Sonia Schmanski, chief of staff to Commissioner Nick Fish, sent a terse but meaningful email to other council members and city officials in Fish's sphere of influence this morning. It read simply:

Until further notice, Commissioner Fish has directed that his bureaus, bureau staff, and our office employees do not attend any future Council meetings held in the Portland Building.

That means that until Fish gives the high sign, employees of the Portland Water Bureau, Bureau of Environmental Services, and staffers in Fish's own office won't be allowed to attend council meetings (which are slated to be held in the Portland Building through mid-April). That matters a lot if, say, council needs to hear about the background of a major Water Bureau acquisition before voting on an ordinance.

"Yesterday was the worst council hearing I've attended since I was elected," Fish tells the Mercury. "I thought the behavior of a small number of people at the hearing was disgraceful."

He notes that the matter council was considering, a largely symbolic resolution to announce Portland's status as a sanctuary city, had attracted "peace and justice advocates from around our community."

"Many of them left or, if they testified, could barely be heard," Fish says. He declined to lay out steps that need to be taken before he'll rescind his order, but said he was hopeful the matter will be resolved before next week's Wednesday council hearing. Fish hasn't begun making plans to push off scheduled Water Bureau or BES hearings, he says.

"The mayor is working to find the right solution and I applaud him," Fish says. Wheeler's office hasn't returned our inquiry.

Fish's move is the strongest we've seen from any commissioner's office, but perhaps not a surprise. Fish more than most has voiced concern for the insults his employees have been subjected to amid the outbursts (which is not the same as saying other commissioners don't have those concerns). One of Fish's employees also recently obtained a restraining order against one frequent City Hall attendee, David Davis, after he said Davis challenged him to a fight.

Still, Fish's decision is similar to at least one recent decree. Following an outburst at a meeting of the Independent Police Review's Citizen Review Committee last year, then-Police Chief Larry O'Dea told his officers not to show up to the meetings.

After yesterday's meeting, Fish told the Mercury that council meetings would need stricter rules going forward.

Of course, Wheeler has said he'd like that as well. That's part of the reason the mayor pushed a new ordinance allowing him to exclude repeatedly disruptive audience members from meetings for a month or more. But that ordinance, before it goes into effect, will need the sign off of a federal judge.

In the mean time, Wheeler has said he will more liberally eject disruptive attendees from meetings on a day-by-day basis. He didn't do so yesterday.

For a sense of how things got, skip to the 1:22:50 mark of this video (NSFW, weirdly).

The Portland Business Journal

PDC, council opt for full development option at Centennial Mills

By Jon Bell

March 23, 2017

The Portland City Council yesterday gave the go-ahead to the Portland Development Commission to pursue full development of the Centennial Mills property.

Back in February, PDC laid out two different options for the former grain mill site. One would have only developed about a third of the property with a mixed-use development while maintaining Portland Police's Mounted Patrol Unit presence on the site.

The second, assuming the MPU did not relocate to the property, envisioned a full development plan with about 400,000 square feet of new development, including 426 residential units and about 17,000 square feet of commercial space. Some 20,000 square feet of creative office space would be made available in the existing flour mill building, and there would also be two open spaces of about 10,000 square feet each.

The city council voted yesterday to approve the latter vision, paving the way for the property's next chapter.

PDC spokesman Shawn Uhlman said the agency will continue to work with neighbors in the area on future development plans and will likely solicit development offers later this year.

The Portland Mercury also reported yesterday that Harbor of Hope, a nonprofit looking for a home for a large campus for a homeless shelter and services, proposed relocating the Right 2 Dream Too homeless camp to the Centennial Mills property. The paper later updated the story, adding that Mayor Ted Wheeler was looking at options for relocating the camp other than Centennial Mills.

"The bottom line," Uhlman said, "is that we have had no direct conversations on R2DToo. The direction for Centennial Mills has been provided to us by city council, and that's the path we are going to follow."