

The Oregonian

Portland officer, backing from suspect with knife, fell off curb then fired, transcripts say

By Maxine Bernstein

July 27, 2017

Portland Transit Officer Samuel Ajir quickly retreated when a suspect he had been chasing for about 200 yards suddenly turned around holding a knife.

"Drop the knife! Drop the knife!" Ajir said he yelled, as he backed up and drew his gun.

Ajir took two to three steps back when his heel suddenly dropped down, having reached a curb he didn't notice.

"Oh (expletive)!" he recalled thinking. "I have to shoot this guy or he's going to stab me. ... I'm just trying to get my gun on him because he's still coming at me. ... I wanted to shoot to stop him."

As Ajir fell, he held his 9mm Glock pistol in both hands. He said he knew he had to fire before his body hit the ground, and he squeezed off a single shot, unable to look through the gun's sight. "As I'm falling, I shoot once and I see his hips jar."

The shot didn't stop the man from advancing, Ajir told grand jurors reviewing the May 10 officer-involved fatal shooting, according to a transcript released Thursday.

The officer landed on his buttocks. He estimated that the man with the knife was now 5 to 6 feet away. Using his left hand to push up, Ajir fired three more shots holding his gun in his right hand, killing Terrell K. Johnson, 24, who collapsed on top of a folding box cutter knife, according to the transcript.

Johnson was reported by emergency dispatch to have threatened MAX riders at the Flavel MAX platform in Southeast Portland earlier that evening.

He died of gunshot wounds to his chest. He was struck three times, once in the right side of his chest, once in the right side under his armpit and once in the right buttocks, according to an autopsy. He had marijuana and a slight amount of alcohol in his blood stream, toxicology results showed.

The Multnomah County grand jury last month found no criminal wrongdoing by Ajir in the shooting.

An internal affairs investigation is reviewing whether Ajir's shooting was consistent with bureau policies and training. Internal affairs interviewed Ajir for the first time about the shooting on June 23, more than a month later, after the grand jury did not return an indictment, according to Portland police.

Ajir, an eight-year member of the Portland Police Bureau, worked for the Transit Division for three years and was riding with his brother, a Clackamas County sheriff's deputy, when the two responded to the Southeast Portland call at the MAX platform.

He had little information about what had transpired before he drove up, stepped from his police car and spotted Johnson, who took off running, according to the transcript. A computer dispatch report indicated, "NOW weapons," leading Ajir to believe the suspect may have been armed, the officer testified.

Ajir's chase was called in at 7:14 p.m. "Shots fired" was radioed to dispatch 36 seconds later, according to police.

The incident began when a MAX rider, Meredith Rivera, called 911 at 6:58 p.m. She, her stepdaughter and neighbor Jacob Leiker, 17, were talking at the Flavel Street station when Johnson walked up and asked Rivera if she had a cigarette. Rivera, who was smoking, said no.

Leiker told grand jurors that Johnson then started "mean mugging," or making nasty faces at them. Leiker had just arrived at the MAX station by train and was on his way home when he stopped to talk to Rivera and her daughter, who were waiting for a train to see a concert at the Moda Center. As Leiker went to walk off, he passed by Johnson. Johnson began to chase Leiker, according to the grand jury records.

Leiker said he believed Johnson had a sharp object in his hand. As he ran from him, Leiker called his father. Once home, Leiker said his first instinct was to grab a kitchen knife, tell his friends and go back to the MAX tracks. He met his dad and confronted Johnson, according to his testimony.

"You got a knife? Why don't you stick me," the father, Paul Leiker, said he told Johnson, who stared straight ahead, holding a flip-out box cutter knife down to his side. Johnson looked either scared to death or just out of it, Paul Leiker said. "What's going on? What's happening?" the elder Leiker continued to ask.

Paul Leiker told Johnson to put his knife away, and he did. The father kept asking Johnson why he'd pulled the knife and run after his son. Johnson finally responded, saying something like, "Well, because he looked at me wrong," according to Leiker's testimony.

Paul Leiker, his son and his son's friends left as transit police arrived.

Transit Officer Jacob Howell, who works for West Linn police, was the first officer to contact Johnson on Southeast Flavel Road. Howell told Johnson they had a report he was threatening people at the MAX station, and Johnson denied it. Asked if he had knife, Johnson told the officer he did.

"That's fine. Just don't reach for it," Howell said he told Johnson. Howell said he waited for cover officers and asked Johnson to sit on the ground, before putting hands on Johnson. Howell also said he didn't know enough about the threatening complaint because he hadn't spoken to the person who called 911 and the dispatch information was limited.

As Ajir pulled up, Johnson took off running, Howell said. Johnson fit the suspect's description, Ajir said. Based on a computer dispatch note, Ajir suspected the suspect might be armed.

Howell also ran after Johnson but Ajir overtook him.

Howell said when he caught up, he saw Johnson standing with a knife out toward Ajir, but not moving or swinging it. He saw Ajir fire at Johnson. Howell testified that Ajir was standing when he fired at Johnson, and didn't see Ajir fall.

Ajir said he didn't recognize Johnson at the time but learned later that he had helped arrest him two weeks earlier, accusing him of stealing a bicycle. Another man testified to grand jurors that he believes Johnson followed him off a MAX train the night before the chase, also armed with a box cutter at the time.

Former chief Charles Moose not among 4 finalists for Portland top cop

By Maxine Bernstein

July 27, 2017

Former chief Charles A. Moose did not make the cut for Mayor Ted Wheeler's final four finalists in the mayor's national search for a new Portland police chief.

Moose was in town last week and interviewed by community panels as one of six candidates whittled from a field of 33. The panels made recommendations to the mayor, who identified four finalists.

"He has already been cut. Didn't make the final four," his wife Sandy Moose wrote on Facebook late Wednesday. "An Asst Chief of one year, working on his masters, never in charge of Patrol is more qualified than Charles. I'm so mad I could spit nails."

Moose, now 63, had served as Portland police chief from 1993 to 1999 then went on to serve as chief in Montgomery County, Maryland. He worked as a Honolulu officer afterward before retiring to Florida.

The mayor's office this week identified two of the four finalists, saying the other two requested their names remain confidential. The two finalists identified are current Portland Police Chief Mike Marshman, 51, and Pittsburgh Assistant Chief Larry Sciroto, 44.

On Thursday, the mayor's spokesman Michael Cox declined to comment about Moose.

Sciroto was promoted from commander, where he headed the Pittsburgh police major crimes unit, to assistant chief in July 2016. As assistant chief, he was assigned to the Office of Professional Standards. During his promotion to assistant chief, he said police brass needs to support programs and training to promote true partnerships between police and the community.

In an interview with The Oregonian/OregonLive, Sciroto said Monday evening that he spent about two hours with Portland's mayor in an interview earlier in the day. He grew up in public housing about 20 miles south of Pittsburgh and worked for smaller departments after college before joining Pittsburgh Police Department in 1995, where he's in his 23rd year there. He has a bachelor's degree from Ashford University and is seeking his master's degree through online courses from Florida State University, he said.

Seattle Assistant Chief Perry Tarrant, 48, who also serves as president of the National Organization of Black Law Enforcement Executives, declined to comment when asked by The Oregonian/OregonLive if he was among the last six candidates. He referred questions to the city of Portland.

Oakland Deputy Chief Danielle Outlaw was among the six candidates interviewed, according to sources. She could not be immediately reached for comment. Outlaw has served as a deputy chief for Oakland since May 2014. She has a bachelor's degree in sociology from the University of San Francisco and a master's degree in business administration from Pepperdine University's George L. Graziadio School of Business and Management.

The Oregonian/OregonLive has put in a public records request for resumes of the four finalists from the mayor's office. Wheeler's spokesman said the mayor is expected to make a decision by the end of this month or early August.

The mayor conducted a community survey to receive feedback on what the public wants in a police chief. Those who responded said they wanted a chief who is community and people-oriented. They want someone who is honest with strong work ethics and is supportive of more community engagement and building strong relationships with minorities, the homeless and people who suffer from mental illnesses, according to the survey results.

During a hiring ceremony in which 13 officers were sworn in Thursday morning, Wheeler, who serves as police commissioner, told the recruits that their job will still entail going "after the bad guys," but they'll also be expected to serve as "social workers" in working with the city's most vulnerable population and ambassadors for the city.

The Portland Tribune

DA releases Transit Police shooting transcript

By Jim Redden

July 27, 2017

Officer cleared in killing, says suspect turned on him with knife during chase

A police officer assigned to TriMet's Transit Division says he shot and killed a man he was chasing who suddenly turned around with a box cutter-style knife.

A Multnomah County grand jury cleared Officer Samuel Ajir of any criminal wrongdoing last month. In grand jury transcripts released by the Multnomah County District Attorney's Office on Thursday, Ajir says he was falling backward after retreating and unexpectedly hitting a curb when he followed the first shot. When the suspect did not stop, he fired more shots from the ground.

Terrell Johnson, 24, died at the scene. The shooting has been protested by his family and activists who say it shows why armed officers should not patrol the TriMet system.

But the transcript also includes testimony from witnesses who say Johnson menaced them before police arrived. Jacob Leiker, 17, said Johnson chased him with what he believed was a sharp object in his hand in the time leading up to the May 10 confrontation with police.

Ajir told the grand jury that he did recognize Johnson during the confrontation, although he had helped arrest him two weeks for stealing a bicycle.

The police bureau is now conducting an internal affairs to determine if the shooting was consistent with the bureau policies.

You can read the transcripts at mcda.us/wp-content/uploads/2017/07/Terrell-Kyreem-Johnson-Death-Investigation-Transcript.pdf.

Water bureau recommends hybrid crypto option as vote nears

By Jim Redden

July 27, 2017

City Council scheduled to vote next week on treatment options ranging from \$150 million to \$500 million or more, all of which would raise water rates

The week before the City Council is scheduled to choose an option for fighting a potentially deadly parasite in the Bull Run watershed, the Portland Water Bureau is recommending the so-called hybrid option. It calls for building an ultraviolet plant at the Bull Run Reservoir while also setting money aside every year to build a filtration plant at another location when it wears out.

It is unclear what option the council will choose at its Aug. 2 hearing. A UV plant that kills cryptosporidium can be built in five years for a total cost of \$105 million, including \$17 million for upgrades already approved and funded at the reservoir. A filtration plant would cost between \$350 million and \$500 million to build and could take 10 years to complete.

Mayor Ted Wheeler first suggested the hybrid option as a way the council could comply with U.S. Environmental Protection Agency rules against crypto — as the parasite is commonly called — as soon as possible, while still moving in the direction of a filtration plant that removes more contaminants from the water.

Since then, however, the filtration option has been recommended by Multnomah County Health Officer Paul Lewis and the Portland Utility Board, which the council created in 2015 to advise it on rate-related utility issues. Water rates would have to be raised to pay for all three options, with the filtration plant requiring much higher increases than the UV plant.

At the same time, the Portland Business Alliance has endorsed the hybrid option, while the Craft Beer Alliance says it prefers a UV plant, if anything has to be done at all.

The Oregon Health Authority has directed the council to submit its compliance plan by Aug. 11. The OHA had granted Portland a variance to the EPA rule because Bull Run water has historically been so clean. But the OHA revoked the variance effective Sept. 22 after required testing repeatedly found crypto in the reservoir earlier this year.

You can read the proposed resolution with the water bureau's recommendation [here](#).

You can read a previous Portland Tribune story on the issue at <http://www.pamplinmedia.com/pt/9-news/366912-248680-health-official-recommends-most-expensive-crypto-treatment-option>.

Willamette Week

Portland Man's Fatal Encounter With Police Officer Began With a Request for a Cigarette at a MAX Station

Grand jury testimony reveals new details about the confrontation that led Portland police to fatally shoot Terrell Kyreem Johnson.

*By Katie Shepherd
July 27, 2017*

The confrontation that resulted in a Portland police officer fatally shooting 24-year-old Terrell Kareem Johnson started with a simple request to bum a cigarette from a group waiting for a MAX train in Southeast Portland.

A transcript of grand jury testimony, released today by the Multnomah County District Attorney's Office reveals a chaotic and complicated series of events that led to police arriving at the Flavel Street MAX station on May 10.

The testimony describes a combination of apparent mental illness, bad tempers, alcohol and weapons at the Green Line train station—with Johnson and a person he confronted both allegedly brandishing knives.

On multiple occasions on the MAX platform, tensions appeared to be defused—but people offended by Johnson's behavior kept confronting him, and the dispute turned deadly when a police officer arrived.

Witnesses agree that shortly before 7 pm, Johnson approached three people waiting to catch a train on their way to a Chris Brown concert and asked if he could have a smoke. One of them, Meredith Rivera, told him no.

According to the testimony, Johnson stood staring at the group, allegedly "mean mugging" them for a couple of minutes before laying down on the station floor.

"Now that we're done rudely being interrupted, what were you saying?" Rivera asked before returning to the group's conversation.

Minutes later, Johnson allegedly ran at Jacob Leiker, who had been talking with Rivera and her pregnant step-daughter Brendalis Rivera Sanchez. Leiker ran, and Johnson allegedly started chasing him.

Rivera told jurors that two men on the platform told her that Johnson had a knife. She said she never saw a knife herself.

Then she called 911. By then, Johnson had returned to lying down on the ground again.

Leiker, who lives across the street from the MAX station, left and grabbed a knife from his kitchen. He returned to the MAX platform with several friends who had been at his house. He said he wanted to make sure that Rivera and Sanchez were safe.

When they came back to the station, Leiker said he asked Rivera and Sanchez where Johnson had gone. They pointed out where he was lying on the platform. Leiker and his friends confronted Johnson, Johnson allegedly reached for his box cutter, and Leiker pulled out the kitchen knife.

Leiker said Johnson asked him why he had come back.

"Chasing me with a knife and stuff, that's no crap," Leiker told jurors he said to Johnson.

"Don't do nothing stupid," Leiker's friend urged him as he approached Johnson. "Be smart about this."

Then, Leiker's father showed up and confronted Johnson. Leiker said that shortly after that, Johnson had put away the box cutter he had. But Leiker continued to yell at Johnson and had to be pulled back by a friend. After his friend pushed him back 30 feet from where Johnson was standing, Leiker said he finally put the kitchen knife away.

Moments later, a man named Steve Alexander showed up at the station—smelling of alcohol, according to Leiker's account. Alexander allegedly tried to attack Johnson, but Leiker and his father held him back.

Leiker said that was the moment when Portland police finally showed up to investigate the 911 call that Rivera had made.

When Rivera called 911, she did not mention that she suspected Johnson was carrying a knife in his pocket. Officers did not know that Johnson had a box cutter in his pocket prior to arriving at the MAX station.

Alexander told grand jurors that he saw an officer approach Johnson and ask him what had been going on. Then, he said, Johnson took off running toward the bridge tracks. He said he saw one officer follow him.

Alexander followed, and said he saw Johnson kneel down and start fumbling with his coat. He said he couldn't tell from his vantage point if Johnson had the box cutter in his hand at any point. That's when he said he saw the officer shoot Johnson.

The Multnomah County grand jury found Portland Police Officer Samson Ajir justified in the shooting.

Ajir told jurors he saw the box cutter in Johnson's hand before he fired. He said he called out for Johnson to drop the knife at least once, maybe twice. Despite his ballistic vest, he said he felt his life was in danger.

"It was how sharp that knife is and the exposure of my arms and my neck," Ajir said in his grand jury testimony. "It just – different mindset when you're dealing with bullets and gun-type calls, your body is focused, I guess, on your vest. And in this call it was focused on the exposure of how sharp a knife is and how – it doesn't – I mean, it takes nothing."

Ajir said Johnson made several slashing motions from about six feet away. Ajir stumbled on the train tracks, he testified. He told the grand jury he felt the need to get a shot off quickly, because he was falling and Johnson was coming toward him. Then he fired his gun four times, striking Johnson in the chest and arm with three bullets.

"I thought I was going to get killed," Ajir told the grand jury.

The Portland Mercury

Transcripts Suggest 24-Year-Old Terrell Johnson Was In Crisis When He Was Killed May 10

*By Doug Brown and Dirk VanderHart
July 27, 2017*

Samson Ajir was expecting Terrell Johnson to be armed well before he encountered, then killed, the man on May 10.

The officer testified before a grand jury that as he was heading to the call about Johnson threatening people at an East Portland MAX station, dispatchers alerted him that Johnson might be armed with a brief message: “NOW weapons.”

“Okay, so he’s threatening people, maybe there’s a weapon involved now,” Ajir testified he thought while responding. The moments afterward would lead to Portland's third officer-involved shooting of the year.

Until today, the details surrounding a Portland transit cop's killing of 24-year-old Johnson near the 92nd and Flavel MAX station were scant. Police had said Johnson “displayed” utility knife following a foot pursuit before Ajir fatally shot him.

The man's family and friends meanwhile, **said Johnson was a good person** who'd fallen into addiction.

We know more now, after the Multnomah County District Attorney's Office released transcripts from the grand jury proceedings that took place last month. The grand jury declined to indict Ajir, 32, assigned to the multi-agency Transit Unit.

The **427-page transcript** released today reveals some interesting and previously undisclosed information.

Notably:

- Prosecutors suggested to grand jurors that Johnson may have had an aggressive altercation with a MAX rider the day prior to his death, though the victim in that instance did not actually identify Johnson as his assailant.
- Johnson, who'd struggled with addiction, had no hard drugs in his system when he was shot, just marijuana and a low amount of alcohol. His behavior—recounted by many witnesses as bizarre and detached—could have been a result of a mental health crisis Johnson's family has told authorities he may have been experiencing.
- Johnson was struck three times by bullets fired by Ajir as the officer fell backward—first in the right buttock, then in the right side, and lastly in the chest. He died of those wounds.

More generally, though, the lengthy transcript fills out the loose sketch of publicly known events that precipitated Johnson's death.

It indicates Johnson was at the Flavel MAX station on the evening of May 10, when he sought a cigarette from three people—a pregnant woman with her step-mother, and their 17-year-old neighbor. The group said no.

The teen headed to his nearby apartment and Johnson apparently chased him on foot. Johnson had been “mean mugging” the kid, he'd tell the grand jury, before chasing after him. That's when

one of the women called police, reporting "some homeless guy" is chasing her neighbor "out of nowhere, threatening to attack him for no reason. He's crazy." She described him as a 5-foot-8-inch white male.

The 17-year-old was able to get away. He called his dad, went home, grabbed a large kitchen knife, and went back out to look for Johnson with a couple of friends. They, and the kid's father, found him on the MAX tracks and confronted him. They could see he had a knife in his hand, but he put it in his pocket.

When police officers started showing up, the group left, they said. One neighbor, Steven Alexander, arrived around the same time.

The first officer on scene, a West Linn police officer named Jacob Howell who is assigned to the Transit Division, said he arrived to find Johnson speaking with someone on the platform.

"And I, basically, told him that we had a call that he was threatening people," Howell testified. "He told me he wasn't."

Another man on scene told Howell that Johnson was armed with a knife, the officer testified, which Johnson confirmed.

"Almost everyone we come across has a pocket knife, everybody carries a pocket knife, especially in that area," Howell testified. "Lots of transients in that area carry pocket knives."

Johnson did not appear high, suffering a mental health crisis, or "elevated in his state," Howell said, but did look over his shoulder, which the officer testified indicated to him that Johnson was thinking about running.

"I asked him if he'd have a seat, if he'd put his hands on his head," Howell said. "I asked him several things, and he, basically, refused or just wouldn't move."

Things escalated with the arrival of two more transit officers: Portland officer Samson Ajir and his brother, Clackamas County Deputy AJ Ajir, who are partners.

Both brothers testified they'd been on another call when dispatchers alerted them about a man possibly threatening people near the MAX station. As they were getting ready to head out to the platform, Samson Ajir said he noticed that two word addendum to the report: "NOW weapons."

They arrived to find Howell speaking with Johnson.

Samson Ajir says he heard Howell say the word "warrant"—though he wasn't sure in what context—and saw the cop was wearing leather gloves, which Ajir believed meant Howell meant to arrest Johnson.

"I'm thinking we're probably going to be taking this guy into custody while we further investigate or detain him maybe for a weapons search because of that little blip on the call that said 'NOW weapon,'" he said.

So Ajir began to pull out his own gloves. He says Johnson looked "over Officer Howell's shoulder directly at me at the gloves, and then he looks back at Officer Howell and then he turns and he just bolts westbound."

Ajir says he chased Johnson in a circuitous route—200 yards or so—until they both wound up on a nearby train bridge. Johnson was sprinting on a small "sidewalk" along the bridge, Ajir testified, before doubling back and running along the MAX tracks toward him, actually passing Ajir again.

Then Johnson stopped, the officer testified. Here's what he says happened next.

In that exact moment he turns around with a knife in his hand. As I'm hitting the brakes to try to deal with him, I'm thinking he's going to give up. 'Oh, shit.' Pardon my language, but I actually said that out loud. And I see it clear as day as he's slowed down to stop he turns around in a flash as I'm hitting my brakes, he's holding a knife that I have one at home. It's — I know exactly what it was the moment I saw it because it was out to the side.

As Ajir reacted he told grand jurors: "I'm starting to draw my weapon and, basically, hit reverse as fast as I can because this guy is now in that instant of spinning around has now begun slashing at me and it's in his right hand at this point, I remember that. He's slashing at me very aggressively and starts advancing on me as I'm reversing backing up as quick as I can."

Ajir says he began to back up when his foot hit a curb.

"I thought to myself, 'Oh, fuck. I have to shoot this guy or he's going to stab me,'" he testified. "I know what that knife can do. If he hits my arm, he's going to cut through every vein and artery and muscle. If he hits my neck, I'm dead."

Ajir says he fired the first shot at Johnson as he was falling backward and saw "his hips jar." Though witnesses described the gunshots being rapid fire, the officer painted a slower picture for grand jurors. After the first shot, Ajir testified, Johnson was seven feet away.

"He took another step forward still holding the knife out. And I've now hit my butt, said — he's just past arm's length away from me swinging at me, I'm going to get sliced apart with this knife. So I need my bullets to work."

Ajir says he fired three more times, and Johnson fell. Officers and medical personnel tried to render aid once the unresponsive man had been disarmed, to no avail.

In the grand jury proceeding, prosecutors also called a 35-year-old man named Anthony Bonofiglio, who told a bizarre tale of an altercation he'd had the night before Johnson was killed.

Bonofiglio said he was riding the MAX to Lents, when a man across the aisle called him a "lying bitch." The man had bloodshot eyes, he testified, and "kind of a weird look on his face."

Bonofiglio got off at his stop, and testified the stranger followed behind him, then began following him on his route home—stopping when Bonofiglio would turn around to confront him, then running up to close the gap when he turned around again.

"So I finally turned around, and I don't remember what I said or what he said. It may have been I was, like, 'What are you doing? What's going on?'" Bonofiglio testified. "And I looked down and he had, like, a rusty box cutter in his hand. It was weird-looking. And he kind of showed it to me almost. And at that point I just turned and took off, I started running."

The man pursued, but Bonofiglio outran him, stopping at a bar to call the police. The stranger stopped a short way off, and eventually walked away, he said.

"I saw this guy with a rusty knife who was, like, obviously, unstable," he testified.

Notably, Bonofiglio never once mentioned Johnson's name. One police witness suggested the assailant's clothing and weapon matched Johnson's at the time of his death.

Also notable—if only for its strangeness—is the role of a man named Alexander, the neighbor who'd gone to aid the 17-year-old Johnson—had threatened. Alexander watched as Howell spoke with Johnson, and gave chase along with the officers when Johnson fled, he testified.

He was arrested after Johnson was shot, as officers tried to piece together the scene.

"As I was handcuffing him, he said something to the effect of, 'I was trying to help the police, man. I'm trying to help the cops,'" Deputy AJ Ajir testified. "And I'm just, like, that doesn't make any sense to me. I don't know what you're doing."

Mayor Ted Wheeler is About to Reinstall Turnstiles at City Hall

By Dirk VanderHart
July 27, 2017

Turnstiles are coming back to City Hall, and that's just the beginning.

As Portland City Council shakes off a period of unprecedented citizen acrimony, Mayor Ted Wheeler is ramping up security at Portland's civic heart. Beginning this weekend, facilities workers will reinstall turnstiles that were tossed out early on in the tenure of former Mayor Charlie Hales. That means if you're not a city employee, you'll need to be buzzed in by security once the turnstiles are up and running, which won't be for weeks yet. (We should point out here that the turnstiles are not immune to incursion.)

The city also plans on installing new bollards—those waist-high posts designed to block vehicular traffic—at the building's entrance on 5th avenue, according to an email sent to city employees this afternoon. And the city will add a new bag check counter, replacing a folding table where visitors have been asked to submit their bags for inspection over the last few months.

The changes show a difference between Hales and Wheeler in terms of City Hall security (though it's true Hales was cracking down on demonstrators more and more toward the end of his reign). While things have settled down of late, the early months of Wheeler's term were marked by frequent outbursts and demonstrations at City Council meetings. Those incidents thoroughly freaked out some staffers, and led to Wheeler pushing a possibly unconstitutional new policy—yet to be approved by a judge—allowing him to exclude disruptive individuals for months at a time.

Then in April, the mayor hired new security guards to usher visitors through a specific door, and check their bags. That service costs the city roughly \$200,000 per year.

Now, citizens can expect turnstiles, bollards and more—features that some City Hall staffers have suggested are welcome, given the recent tumult.

In one email sent out today—obtained by the *Mercury*—city Facilities Manager David O'Longhaigh laid out a host of other, smaller actions employees could expect to see.

"These improvements are already quietly underway and will continue over the next few months," O'Longhaigh wrote.

He included a list of tasks as varied as relocating a "mothers' room," moving "security operations" from the Portland Building to City Hall, and installing a "visitor center" door.

The new provisions come after city officials surveyed staffers on ways they might be safer at City Hall.

"This is our continuing effort to [ensure] City Hall remains a safe work environment," says Michael Cox, a spokesperson for Wheeler.

City Staffers Who Investigate Cops Might *Finally* Be Able to Recommend Discipline

By Dirk VanderHart

July 27, 2017

It's another quirk of Portland's slapped-together system for police accountability: When internal affairs investigators at the Portland Police Bureau or staffers for the city's Independent Police Review (IPR) conduct an investigation into alleged officer misdeeds, they're not actually allowed to make a conclusion. Instead, the responsibility to recommend discipline in a case falls to the cop in question's commanding officer.

That's a system that police accountability types have long criticized—and which recently **led to some internal strife** between a police commander and the IPR director. And now it appears ripe for change.

Next week, Portland City Council will take up **a code change** that would allow IPR and IA investigators to actually weigh in on officer discipline after they've conducted an investigation. It's a tweak that IPR has pressed for since at least 2013, the office's director, Constantin Severe, told the *Mercury* Wednesday. It's also similar to a code change that **was floated** by City Auditor Mary Hull Caballero (who oversees IPR) last fall, before her proposal was **watered down** into a new package in March.

But importantly, the tweak council will consider next week also apparently has the approval of the Portland Police Association, the city's rank-and-file police union, which in the past has argued such a change must be bargained as part of its contract with the city. Asked about this Wednesday afternoon, PPA President Daryl Turner said he was getting on a plane and couldn't discuss. He hasn't returned a voicemail message or email today.

One reason the police union might be on board with the revamped policy: It won't *change* all that much. While investigators would be able to recommend findings after looking into police misconduct, a cop's commander would still be allowed to issue their own recommendations if they disagree. And recommended discipline would still be considered by the five-member (but sometimes seven-member) Police Review Board, whose findings would ultimately fall to the police chief for a final call.

Still, Severe argues the new change is a way for IPR and internal affairs investigators to lay down a marker for how they feel about an incident. In cases where investigators believe discipline is warranted, that could offer further texture, should a commanding officer or the PRB believe no punishment is necessary.

"One could argue... there is no way for IPR to have meaningful independent investigations if we don't have a finding," Severe said Wednesday. "Having an ultimate conclusion allows a tighter product."

Council is scheduled to take up two more important issues around police accountability next week, as well.

One is a proposal from Mayor Ted Wheeler that could allow cops who've shot someone to be interviewed promptly by internal affairs investigators.

As **we've reported**, that had been happening following the negotiation of a **new contract** with the PPA last year. But the practice quietly stopped months ago, after Multnomah County District

Attorney Rod Underhill **issued an opinion** that such a practice would essentially pre-empt criminal prosecution of an officer, should it be appropriate.

Others disagree, and Wheeler is asking council to approve an **ordinance [PDF]** that would "wall off" internal investigations—which only seek to answer whether an officer acted out of policy—from criminal investigations. If approved, the policy would need to be approved by a judge before it went into practice.

And council will consider a new citizen body that will be asked to weigh in on Portland's ongoing settlement with the US Department of Justice over police abuses of people with mental illness. That body is mandated under the settlement, but its first iteration, the Community Oversight Advisory Board (COAB), was **dissolved amid squabbling and disarray**.

The *Oregonian* **first reported** last week that Wheeler will propose something called the "Portland Commission on Community-Engaged Policing" to take its place.

That commission would be selected entirely by the mayor—a notable difference from the COAB—and feature fewer meetings open to the public. Expect some outcry.

The Portland Business Journal

How Portland's 'Skyline' towers are keeping fresh to compete

By Jon Bell

July 27, 2017

There's been big demand in Portland over the past few years for cool creative office space. That's where the young creatives and tech startups want to be: amidst the exposed beams, old brick and natural light of hip offices around the city.

Demand for such space has prompted the owners of some of Portland's signature downtown office buildings — think KOIN Tower, PacWest and the Congress Center — to up their game and make investments that are bringing downtown's Class A high-rises into modern times. The most notable example of this was Unico Properties' \$15 million renovation of the U.S. Bancorp Tower in 2014, which helped draw younger tech firms like New Relic, Webtrends and Survey Monkey.

Others have followed suit, especially as institutional investors buy up prominent buildings like PacWest and Congress Center.

"We are seeing a lot of sales to institutional investors," said Tim Hamilton, a senior research analyst with JLL in Portland. "Those investors are spending a lot of money to reposition them, with lobby remodels, new amenities and other steps to really push the market."

According to JLL's recent Skyline report, which tracks 16 of Portland's most prominent downtown office buildings, the vacancy rate hovers around 9.3 percent in those buildings, below the national average of almost 13 percent. Rents have risen to an average of \$33.80 per square foot in the first quarter of this year, up more than 7 percent over the prior quarter.

Craig Reinhart, managing director for JLL corporate real estate services, said the shift from local to institutional owners will continue to push up rents — to a point.

"Those are going to make a serious impact on the support of rental rates," he said. "Whether they slide up toward all the new construction that's coming on, I doubt it, but you will clearly see a continued upward trend."

Part of that trend will be fueled by continued investments from new owners who are looking to lure tenants in search of an upgraded space.

"Landlords are prepared to invest, and that's going to drive rates," Reinhart said.

It's also not a trend that is likely to taper off anytime soon. Hamilton said institutional investors now own almost 60 percent of the Class A space in the central business district, and they're not done buying yet. The Wells Fargo Center, Portland's tallest building, is on the market, and others are likely to sell as well. In addition, buildings that traded hands four or five years ago are now ripe for the picking again.

"We are definitely going to see that re-trading," Hamilton said. "It's a sign of the times. Investors are making money in Portland — and it's going to continue."

The Skanner

New Chief Shares New Vision

By Christen McCurdy

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When Mike Myers left the Las Vegas Fire Department 2013, where he'd served as chief since 2011, he found he was nowhere near ready for retirement.

Myers, now 50 moved to Chicago, then to Montgomery, Florida, but found himself restless and decided to re-enter the job market.

"It was just boring," he said of retirement.

First he moved to St. Charles, Missouri, outside St. Louis, and took a job in that city's fire department. Then Portland Fire and Rescue announced it was searching for a new chief, and he jumped at the chance. Myers and his wife – with whom, for several years, he ran a travel blog that featured photos of the couple kissing at destinations around the world -- had been eager to relocate to the Northwest.

"We didn't want to go just anywhere," Myers said.

Myers is evaluating Portland's fire department top to bottom, looking at hiring practices, training and emergency response.

He's also proposing a way to respond to non-emergency calls he says hasn't been tried anywhere else in the United States.

Myers said about 80 percent of calls the fire department responds to are urgent, but not in a category that would require a paramedic's response – including non-emergency medical calls. Numbers released by Portland Fire & Rescue in response to a request for more detailed list "rescue and EMS," which made up the largest category in fiscal year 2016-17. Calls in that category numbered 52,341 out of 85,866 total calls. At 61 percent, it is the largest total category, but doesn't break the calls into emergency or non-emergency categories.

But categories that clearly don't qualify as emergencies made up a large share of the remaining 39 percent of calls. These include "good intent calls" (emergency calls that turn out to be non-urgent, such as reports of controlled burns or people sleeping), which made up 16 percent of calls; service calls (such as assisting seniors who have fallen or responding to animal problems or rescues), which made up 8.7 percent of calls; false alarms (7.9 percent) or reports of hazardous conditions such as gas leaks or downed power lines (2.6 percent). Just 3 percent of incidents involved fighting fire.

Since fire department personnel are often the first to respond to 911 calls of all kinds, they get a firsthand glimpse of major social problems – many of which paramedics and firefighters aren't well suited to address.

"I can do everything for the cardiac arrest patient," Myers said, or for a family whose kitchen has caught on fire. But for residents whose needs may be more complex, it's necessary to go upstream and look at the underlying causes of public health issues.

Myers also noted that each fire station is staffed, equipped and trained the same way, though the neighborhoods they serve may have different needs.

With both of those problems in mind, he's proposed creating "blueprints for success" for each of the city's fire management areas, each of which overlays several neighborhoods. According to Aaron Johnson, communication director for Portland Fire & Rescue, the agency currently has a three-person team working on data collection for each fire station's response area. And the team is working with Multnomah County Public Health, and local and regional nonprofit and neighborhood organizations to create prevention and response plans specific to each neighborhood.

"This will help us tailor our mission directly to the neighborhoods and treat the neighborhoods the way they want to be treated," Myers told *The Skanner*.

While data are being gathered for all districts, the agency has designated two stations -- Station 22, which serves St. Johns, and Station 25, which serves several neighborhoods in Southeast Portland including Foster-Powell, Creston-Kenilworth and Woodstock – to pilot the fire management area concept. St. Johns was chosen because it has a well-organized neighborhood emergency team. Station 25 was chosen because it has one of the highest fire death rates in the city, Myers said. Since the program is being built from scratch, he said there's value in working with well-established groups on emergency response – and while Portland Fire & Rescue is concerned with many public health issues, reducing fire deaths is still a top priority.

It's new -- Myers said no other fire department in the country has tried it -- but not without precedent. The fire management area concept is in fact derived from a model in the United Kingdom. The agency is planning a work session for Sept. 26 which will include personnel from Harvard's School of Public Health, Multnomah County Public Health and the Gloucestershire Fire and Rescue Service.

Myers expects the program won't increase costs – and should lead to savings down the road.

"The intent is that this project over time will not increase costs and is intended to reduce long-term spending projections," Myers said. "It is less expensive to prevent a call from happening than it is to continuously add more reaction-based capital."

Myers is a rare hire for the fire department, which is more likely to promote from within rather than to hire a fire chief from outside.

In a May 2016 Oregonian profile, the Portland Firefighters Association expressed cautious optimism about Myers. Union leaders said they were disappointed the city didn't promote from the department's rank and file, and were apprehensive about Myers due to a 2012 no-confidence vote from the Las Vegas firefighters' union over having outside consultants evaluate the agency. Earlier this year, Myers made headlines after sidelining a decision to embed emergency medical technicians with police, in apparent agreement with citizens who said having EMTs dress similarly to riot cops was inappropriate.