

## **The Oregonian**

# **Portland mayor selects first African American woman to be next chief of police**

*By Maxine Bernstein*

*August 7, 2017*

Danielle Outlaw, a 19-year veteran of the Oakland Police Department who started as a police explorer when she was in high school, will serve as Portland's next chief, only the third outsider named to lead the Police Bureau.

Her appointment Monday by Mayor Ted Wheeler comes at a critical time when community and police relations are strained and the force faces a daunting list of federally mandated reforms.

The mayor said Outlaw shares his goals of improving bureau relationships with Portland's communities of color, increasing diversity on the 950-member force and embracing equity.

Outlaw, 41, who has served as a deputy chief since 2013, rose to the top of a pool of 33 candidates who applied for the job. She becomes the first African American woman to head the bureau.

The mayor selected Outlaw after a national search that lasted less than three months and was conducted largely behind closed doors with input from a select group of community members.

"I have concrete goals for the Portland Police Bureau, all of them challenging to achieve," Wheeler said in a statement. "I need a partner. I need a leader. More than that, I need someone with a passion for this work who will be in it for the long haul. Danielle Outlaw is that person."

The mayor highlighted Outlaw's leadership skills, ability to work with diverse populations and a commitment to community policing and police accountability that set her apart. Outlaw, who has two teenage sons, intends to find a place to live within the Portland city limits.

Wheeler will introduce her at a news conference Thursday. She'll earn \$215,000 annually and is expected to start no later than Oct. 2. The details of her hiring were ironed out over the weekend.

"My life's passion is policing. I want to make a positive difference in the lives of my fellow officers and the residents of the community," Outlaw said in a prepared statement released by the mayor's office. "Portland is an amazing city. I am humbled by the tremendous opportunity in front of me, and am ready to get to work."

The applicants were quickly pared to 11 based on reviews of their resumes and written applications. Barbara Buono, the mayor's senior policy adviser, Michael Alexander, the former president of the Urban League of Portland, and Joseph Wahl, the city's manager of the Office of Equity and Human Rights, interviewed the 11 by Skype and recommended six.

Three community panels selected by the mayor then interviewed the candidates. The panels made recommendations to the mayor, who narrowed the six to four finalists. Two weeks ago, Wheeler interviewed the four, including current Chief Mike Marshman. Each candidate spent about two hours with the mayor.

Outlaw will take command of a bureau that has struggled with a staffing shortage, problems complying with a federal settlement agreement over excessive use of force against people with mental illness, ongoing controversies about the police handling of large protests and a breakdown in trust with community members.

The pick brings Marshman's yearlong tenure at the helm to a close, to the dismay of the rank-and-file union that came out in strong support of him.

Marshman learned of the selection when he met with the mayor at 2:30 p.m. and less than two hours later said he will retire with Assistant Chief Chris Uehara becoming the interim chief until Outlaw arrives.

Wheeler's spokesman, Michael Cox, said Marshman had the option to stay. He described Marshman as a "total professional" when informed of the mayor's selection.

Marshman, 51, joined the bureau in April 1991.

"I want to thank the members of the Portland Police Bureau for their support and the incredible work they do every day to keep Portland safe," Marshman said in a release. "It has been an honor to serve as chief of police and to serve this community throughout my career. I'm confident that the Portland Police Bureau will continue to be a leader in 21st Century Policing and the community should rest easy knowing they have one of the best police departments in the country."

Wheeler praised Marshman's brief tenure. "Mike Marshman made tremendous strides in key areas during his time as chief," Wheeler said. "I enjoyed a positive working relationship with him and have the highest respect for him as a leader and as a person. He is a good man."

Officer Daryl Turner, president of the Portland Police Association, said he wanted to focus on Marshman's accomplishments. "We wish he was the one who would lead us," Turner said. "There will be big shoes to fill."

Turner participated in a community panel that interviewed the six candidates, but wouldn't comment on his reaction to Outlaw during the process.

Outlaw started with Oakland police as an explorer while she was a student at Holy Names High School. She eventually became the second female deputy chief in the history of the Oakland Police Department. She is also the first woman in the history of the department to lead the Bureau of Field operations Two, which includes East Oakland.

She has worked in various assignments, including patrol, community services, the chief's office, criminal investigation division, public information, internal affairs and the office of inspector general. Most recently, she's led the department's Bureau of Risk Management that includes internal affairs, personnel, training and forensics.

She earned a bachelor of arts in sociology from the University of San Francisco and a master's degree in business administration from Pepperdine University. She's a member of the National Organization for Black Law Enforcement Executives and is vice president of the San Francisco Bay Area National Organization of Black Law Enforcement Executives.

She's also a graduate of the Major Cities Chiefs' Association Police Executive Leadership Institute and is involved in civic advocacy through Alpha Kappa Alpha Sorority, according to her resume.

In 2015, she received the annual Gary P. Hayes Award from the Police Executive Research Forum in Washington, D.C., given to a single police executive who shows initiative in

improving the quality of police services. The national award is based on character, record of leadership and commitment to better policing, according to the forum.

Outlaw's contributions to the Oakland department and the law enforcement field – including her work on community trust-building, officer wellness and enhanced accountability measures – led to the honor, according to minutes from an Oakland City Council meeting recognizing her achievement.

Oakland Councilman Dan Kalb said Monday he's sorry to see Outlaw leave.

"She's the real deal. She's honest. She's always been very personable and forthright and genuine," Kalb said. "She's established a great relationship with the community here."

Civil rights lawyer John Burris, who recently won a large settlement against Oakland police and is a founder of National Police Accountability Practice, called Outlaw "a progressive thinker" on police use of force and recruitment of officers.

"I think she'll be an excellent chief. She certainly has the ideas and thoughtfulness to do it," Burris said. "She's a commanding person. She might be slightly built but she has a strong voice."

The Rev. T. Allen Bethel, chairman of the Albina Ministerial Alliance who sat on one of the candidate interview panels, said he supported the mayor's choice "100 percent."

"Personally, I believe we needed someone from the outside to come and look at the bureau with a fresh eye," Bethel said. Though Outlaw may be younger than some of the other candidates, Bethel said he was impressed with her experience in working to improve police accountability and connect with the Oakland community.

The Portland bureau has had a rough ride over the last year in its top management ranks.

Former Mayor Charlie Hales appointed Marshman as chief in late June 2016 after Chief Larry O'Dea retired amid a criminal investigation into his off-duty shooting of a friend during a camping trip in southeastern Oregon.

Turner credited Marshman for improving morale and setting the bureau on a positive course after O'Dea's controversy.

"He took a ship in troubled waters, in danger of running aground, and turned us back towards the horizon," he said. "His leadership stabilized this organization and improved morale."

Marshman immediately named his own assistant chiefs and demoted those who served under O'Dea. He worked to speed up recruitment and hiring of new officers to fill vacancies and revamp police policy directives. Under his watch, police in riot-control gear responded with flash-bang grenades and tear gas to multiple large protests after one got out of hand and turned into a riot with significant property damage.

Shortly after he was named chief, Marshman released police reports stemming from an abuse allegation in 2006 involving his stepson at the time. He was accused of grabbing the stepson around the neck, but said he pushed the teenager against a wall during a dispute. A family services detective investigated the complaint. No criminal charges were filed.

For nearly three weeks this year, Marshman also was placed on paid leave while he and his executive assistant were under investigation for a complaint about an inaccurate training log that showed Marshman attending a training class though he never went.

His executive assistant, Lt. Mike Leasure, signed Marshman in. Initially, Leasure told investigators that the chief had instructed him to sign his name in on a class log, but then Leasure changed his account. Both officers returned to work, yet Leasure was moved to North Precinct.

## **Portland gets first African American woman police chief: City's chiefs since 1985**

*By The Oregonian/OregonLive*  
*August 7, 2017*

Mayor Ted Wheeler announced Monday that Danielle Outlaw, a deputy police chief in Oakland, will become Portland's police chief. Here's a list of chiefs over the last two decades:

**Penny Harrington, 1985-86:** Mayor Bud Clark named Harrington the nation's first woman to lead a major police department. He asked her to resign 17 months later after a special commission concluded she demonstrated defects in her leadership.

**Robert Tobin, 1986 (Interim)**

**James Davis, 1986-87:** Mayor Bud Clark appointed Davis chief, then fired him during a breakfast in Multnomah Village's Fat City Cafe. Davis had fought for more police and wanted to sue the city over it; the mayor said Davis didn't have the authority.

**Richard Walker, 1987-90:** Mayor Bud Clark brought in Walker as a calming influence after the turbulent tenures of Harrington and Davis. Walker preferred to stay out of the limelight and left after 3 1/2 years.

**Tom Potter, 1990-93:** Mayor Bud Clark selected Potter, then a 24-year veteran of the force. After 2 1/2 years, Potter retired, saying he would travel and pursue his hobby of archaeology. He later became Portland mayor.

**Charles Moose, 1993-99:** Mayor Vera Katz hires Moose, Portland's first African American police chief. After a sometimes tumultuous tenure, Moose left in 1999 to become chief in Montgomery County, Md.

**Lynnae C. Berg, 1999 (Interim)**

**Mark Kroeker, 1999-2003:** Mayor Vera Katz brought in Kroeker from Los Angeles. As Portland's first outside chief in 25 years, Kroeker had a style that critics considered as not well suited to Portland. He resigned under pressure.

**Derrick Foxworth, 2003-2006:** Mayor Vera Katz named him to step in following Kroeker's forced resignation. Mayor Tom Potter removed Foxworth after Foxworth's sexually explicit e-mails to a police desk clerk became public.

**Rosie Sizer, 2006-May 2010:** Mayor Tom Potter suddenly tapped her for the top job upon the demotion of Foxworth. She had joined the Portland Police Bureau in 1985. Sizer was Portland's second permanent female chief after Penny Harrington. She started as acting chief in April 2006 and was sworn in as chief three months later.

**Mike Reese, May 2010-January 2015:** Mayor Sam Adams appointed Reese after firing Sizer, who had criticized his budget. A Portland native and graduate of Roosevelt High School,

Reese joined the Portland Police Bureau in 1994 and served as a sergeant, lieutenant, captain and commander. He's now serving as Multnomah County's sheriff.

**Larry O'Dea**, January 2015-June 2016: Mayor Charlie Hales picked O'Dea without conducting formal interviews or doing a national search after Reese announced his retirement. O'Dea had spent 28 years rising through the ranks after joining Portland police in 1986. He retired amid a scandal caused when he shot a friend during an off-duty camping trip in eastern Oregon and didn't disclose it publicly for more than a month. A grand jury indicted him on a negligent wounding charge, but a Harney County judge agreed to a civil compromise that allowed the charge against O'Dea to be dismissed.

**Mike Marshman**, June 2016-August 2017: Mayor Charlie Hales introduced Marshman as the new chief as he announced O'Dea's retirement. Marshman had been hired by San Diego Police after college graduation and worked there for two years before Portland police hired him April 25, 1991. He worked as a sergeant, lieutenant and captain in Portland before becoming chief.

## The Portland Tribune

### City OKs filtration of region's water

*By Jim Redden  
August 8, 2017*

**Plant could solve a lot of problems, although it will cost up to \$500 million and raise water rates over \$18 a month by 2030**

The City Council unanimously voted last Wednesday to authorize the Portland Water Bureau to spend up to \$500 million to build a filtration plant to remove a potentially deadly parasite from Bull Run water. The decision could raise water rates as much as \$18.14 a month by 2030, although cost estimates could come down when all the details are worked out.

"What started out as a discussion about how to protect against cryptosporidium turned into one about how to best safeguard Portland's water for the next 100 years or more. The council decided the best way to do that is to build a filtration plant," said Commissioner Nick Fish, who is in charge of the Water Bureau.

The vote came as a surprise. The U.S Environmental Protection Agency requires all municipal water providers to treat for crypto, as the parasite is commonly called. Debate over whether and how to do it in the Bull Run water supply has gone on for years. The Oregon Health Authority granted Portland a variance in 2012 because Bull Run water historically has been so clean. But the health authority announced it was revoking the variance after crypto was repeatedly found in the water earlier this year.

The health authority originally gave the council until Aug. 11 to approve a plan for treating crypto. But it granted a 60-day extension last Tuesday at the request of Fish and Mayor Ted Wheeler, who wanted to give the public, shareholders and advisory groups more time to weigh in.

But after more than three hours of testimony last Wednesday, the council unanimously agreed that doing nothing was not an option, and they had enough information to choose between a filtration plan and one that kills crypto with ultraviolet light. Although a UV plant would cost much less — \$105 million — it does only that one thing. In contrast, a filtration plant can

remove many contaminants from water, including organisms that might be banned by the U.S. EPA in the future, silt from landslides in the reservoir, and ash from fires in the watershed.

"The debate has changed over the years. There's a lot more awareness now about the potential impacts of climate change and the Big One in the watershed," Fish said.

Although the type of filtration has yet to be determined, the council is not expected to take up the issue again before the plan is submitted to the health authority. Instead, the Water Bureau will discuss the options and other issues with two oversight groups, the statewide Citizens' Utilities Board and the Portland Utilities Board. The issue is expected to be discussed at PUB's next meeting, which is scheduled for Sept. 5.

Crypto is found in livestock and human feces. Some strains can sicken people and even kill those with a weakened immune system. No one has ever proven to have gotten sick drinking Bull Run water. But the U.S. EPA rule doesn't distinguish between those strains that threaten people and those that don't.

Most public witnesses testified against doing anything to fight crypto, arguing Portland's water has been historically safe and either option will raise water rate and potentially change the quality of the water. Others, including Multnomah County Health Officer Paul Lewis, said noncompliance is not an option and the filtration plant is the best choice.

## **Portland's new police chief, Danielle Outlaw, picked by Mayor Ted Wheeler**

*By Nick Budnick  
August 7, 2017*

### **Oakland deputy chief just 41, but is 'ready' to be chief in Portland, lawyer says**

Portland's new police chief will be 41-year-old Danielle Outlaw from Oakland, Mayor Ted Wheeler announced Monday.

The pick ends a national search process that put incumbent chief Mike Marshman, who was chosen by former Mayor Charlie Hales, up against three finalists from out of town.

Wheeler, in a statement, portrayed Outlaw as the partner in reform that he's been looking for, saying "I need someone with a passion for this work who will be in it for the long haul ... Danielle Outlaw is that person."

Outlaw has been a deputy chief with Oakland since 2013.

While her department has had its share of police scandals in recent years, Outlaw has cultivated a reputation a stickler.

"She is thoughtful about police issues, progressively," said Oakland lawyer John Burris in an interview before the selection was made. Burris has sued the Oakland Police Department over some of the high-profile cases and tracks police accountability issues closely. He called Outlaw "opinionated — has a view of what policing ought to be ... She's ready to be a chief."

Danielle Outlaw began her career with the Oakland Police Department as an Oakland Police Explorer. As she rose through the ranks to Deputy Chief, she worked in various assignments throughout the Oakland Police Department, including Patrol, Community Services, the Office of

Chief of Police, the Criminal Investigation Division, Internal Affairs and the Office of Inspector General.

Outlaw has held a variety of positions in the Oakland department having started out there as a police Explorer. She's active in the National Organization of Black Law Enforcement Executives, or NOBLE, and has been a vocal speaker about police relations with communities of color.

Wheeler had promised the national search on the campaign trail before Larry O'Dea's tenure imploded over an accidental shooting in Harney County, but continued with the plan despite Marshman's relative popularity within the bureau.

Marshman said he will retire before Outlaw takes office.

"I want to thank the members of the Portland Police Bureau for their support and the incredible work they do every day to keep Portland safe. It has been an honor to serve as Chief of Police and to serve this community throughout my career. I'm confident that the Portland Police Bureau will continue to be a leader in 21st Century Policing and the community should rest easy knowing they have one of the best police departments in the country," Marshman said in a Monday afternoon statement.

Assistant Chief Chris Uehara will be named Interim Chief until new Police Chief Danielle Outlaw is appointed.

## **City Hall Watch: Gang violence up slightly in July**

*By Jim Redden*

*August 8, 2017*

### **Plus, Portland Parks & Recreation closes pools on hottest day of year and North Portland development project announced**

Incidents of gang violence increased slightly in July from the previous month, although the total investigated by the Gang Enforcement Team is still running below last year's pace.

According to the newest statistics, the team investigated 13 incidents in July, up one from the 12 investigated in June. By the end of last month, the Portland Police Bureau team had investigated 68 incidents of gang violence this year, well below the 81 investigated by the end of July 2016. But the 13 incidents investigated last month is an increase over the six investigated in July 2017.

The total so far this year also is well below the 101 investigated by the end of July 2015, the year that set the official record for gang incidents with a total of 193 investigations. The full-year number dropped to 159 in 2016 and is still on track to drop again this year.

Several other incidents of gang violence were reported last week, however, including a shooting where two people were wounded late Thursday, Aug. 3. And on Saturday, Gang Enforcement Team officers arrested a suspect in a Friday shooting where no one was injured.

### **Outdoor pools close on hottest day of the year**

Portland Parks & Recreation closed its outdoor pools on the hottest day of the year last Thursday because of air quality concerns. The pools remained closed on Friday when temperatures fell below the record 105 degrees set on Aug. 3. Indoor pools remained open, although there are fewer of them.

Numerous other outdoor activities also were canceled or moved indoors because of the Air Quality Alert and Unhealthy Air Quality Index ratings caused by smoke from wildfires that drifted into the region.

### **North Portland development project announced**

Portland announced a public-private project to develop a 1.7-acre vacant block at North Russell Street and Williams Avenue currently owned by Legacy Health. The block of homes and businesses was demolished decades ago as part of a city-supported Emanuel Hospital expansion plan that never was completed.

The new project is intended to honor the African-American history of the area and further Legacy's mission. It will include the appointment of a working group that includes representatives of Legacy, the Portland Housing Bureau, Prosper Portland (formerly the Portland Development Commission) and community organizations.

## **Willamette Week**

### **Danielle Outlaw Will Become the First Black Woman to Be Portland Police Chief**

Chief Mike Marshman is out. Danielle Outlaw will start by Oct. 2.

*By Katie Shepherd  
August 7, 2017*

Mayor Ted Wheeler announced Monday afternoon that Danielle Outlaw, currently deputy police chief in Oakland, Calif., will be the next Portland police chief.

Wheeler chose Outlaw to replace Chief Mike Marshman, who held the position since June 2016. When she starts as chief—no later than Oct. 2—she will become the first black woman to serve as police chief in Portland history.

"I have concrete goals for the Portland Police Bureau, all of them challenging to achieve," Wheeler said in a statement on the decision. "I need a partner. I need a leader. More than that, I need someone with a passion for this work who will be in it for the long haul. Danielle Outlaw is that person."

Outlaw served in the Oakland Police Department for 19 years and was the second woman to rise to the level of deputy police chief in the agency.

"My life's passion is policing. I want to make a positive difference in the lives of my fellow officers and the residents of the community," Outlaw said in a statement. "Portland is an amazing city. I am humbled by the tremendous opportunity in front of me, and am ready to get to get to work."

The mayor's office deliberated over the choice for months, narrowing a field of finalists from six, to four, to one: Outlaw.

Initially, Wheeler said he would make the names of the finalists for the job public so that Portlanders could weigh in on the decision. But he ultimately kept two of the finalists under wraps because they asked for confidentiality during the hiring process.

Among Wheeler's options: keeping Marshman in his role, a move that would have prompted harsh criticism from left-leaning criminal justice reform advocates. Marshman's detractors say he shouldn't hold the position because of a domestic violence incident and because of the sometimes harsh police response to protests this year.

Marshman had strong support from rank-and-file officers and the Portland Police Association.

"Mike Marshman made tremendous strides in key areas during his time as Chief," Wheeler said. "I enjoyed a positive working relationship with him, and have the highest respect for him as a leader and as a person. He is a good man."

Marshman immediately released his own statement.

"I want to thank the members of the Portland Police Bureau for their support and the incredible work they do every day to keep Portland safe," Marshman said. "It has been an honor to serve as Chief of Police and to serve this community throughout my career. I'm confident that the Portland Police Bureau will continue to be a leader in 21st Century Policing and the community should rest easy knowing they have one of the best police departments in the country."

**Update, 5:25 pm:** Marshman will be retiring in the near future, and Assistant Chief Chris Uehara will take over as interim chief until Outlaw fills the position.

"I want to thank the members of the Portland Police Bureau for their support and the incredible work they do every day to keep Portland safe," Marshman said in a statement. "It has been an honor to serve as Chief of Police and to serve this community throughout my career. I'm confident that the Portland Police Bureau will continue to be a leader in 21st Century Policing and the community should rest easy knowing they have one of the best police departments in the country."

The police union president released a statement lamenting Marshman's departure.

"The rank and file members of the Portland Police Association are now and have always been the foundation of the PPB," said Daryl Turner, president of the Portland Police Association. "Although we will miss Chief Marshman's leadership, we will continue to move this organization in a positive direction as we serve the needs of our ever-evolving and diverse community with dedication, equity, and compassion."

## **The Portland Mercury**

### **Mike Marshman Out, Oakland's Danielle Outlaw In as New Portland Police Chief**

*By Doug Brown and Dirk VanderHart  
August 7, 2017*

Portland Police Chief Mike Marshman will be out of a job soon, as Mayor Ted Wheeler announced today that he's picked Oakland Deputy Chief Danielle Outlaw, 41, to lead the Portland Police Bureau (PPB). Outlaw, a 19-year veteran of the Oakland Police Department, will become Portland's third female and first woman of color to head the PPB.

It's expected she'll start no later than early October.

The move comes after a several months-long national search for a PPB chief, as Wheeler promised during his campaign last year. Marshman, appointed last June by then-Mayor Charlie

Hales to **replace trigger-happy Larry O'Dea**, has been a **favorite of the rank-and-file police union** and a frequent **target of criticism of police reform activists**.

"During the selection process, Mayor Wheeler emphasized the qualities he wants in a police chief, based upon the principles of President Obama's Task Force on 21st Century Policing," Wheeler's office announced this afternoon. "The Mayor selected Outlaw based on her ability to provide leadership and supervision to over 950 sworn and 270 non-sworn employees, to work effectively with diverse communities, and to lead an organization committed to community policing, transparency and accountability. Wheeler and Outlaw have a shared dedication to improving relationships with Portland's communities of color, increasing diversity and embracing equity."

The city and Outlaw will hold a press conference on Thursday. In the meantime, Marshman has issued a statement strongly suggesting he'll opt to retire now that his bid to remain as chief has failed.

"It has been an honor to serve as Chief of Police and to serve this community throughout my career," he wrote. "I'm confident that the Portland Police Bureau will continue to be a leader in 21st Century Policing and the community should rest easy knowing they have one of the best police departments in the country."

Wheeler's choice, awaited for weeks, spurred a flurry of reactions from various organizations. The Portland Police Association thanked Marshman—its preferred candidate—for his service.

"He took a department that was in shallow water headed for rocks, turned us around and pointed us to the horizon," PPA President Daryl Turner said in a phone interview. Turner, who was involved in interviewing candidates for chief, declined to share his impressions of Outlaw, saying he'd signed a nondisclosure agreement.

Meanwhile, the activist group Portland's Resistance issued a statement saying it wouldn't push for a recall of Wheeler. The group had threatened to try to toss the mayor from office if he allowed Marshman to continue on.

"We are cautiously optimistic that this hiring will mark a new direction for policing in Portland," the statement says. "We are also proud to have a woman of color as our police chief."

According to a biography provided by Wheeler's office, Outlaw is only the second female deputy chief in the history of the Oakland Police Department, a position she appears to have held **since 2013**. She first began working at the department while she was still in high school.

Assuming she passes a state police background check, Outlaw will be Portland's fourth woman chief (if you count the interim stint of Donna Henderson last year). More on Outlaw from the release:

Outlaw obtained a Bachelor of Arts in Sociology from the University of San Francisco and a Master of Business Administration from Pepperdine University. She is a graduate of the Police Executive Research Forum Senior Management Institute for Police and the Major Cities Chiefs' Association Police Executive Leadership Institute. Outlaw is a member of the National Organization for Black Law Enforcement Executives (N.O.B.L.E.).

"My life's passion is policing. I want to make a positive difference in the lives of my fellow officers and the residents of the community," said Outlaw. "Portland is an amazing City. I am humbled by the tremendous opportunity in front of me, and am ready to get to get to work."

The varied reactions to Marshman's ouster speak to a tenure atop the police bureau that saw its share of turbulence. Marshman had barely been sworn in last year when he **was forced to**

**acknowledge a 2006 incident** in which he grabbed his 16-year-old step-son by the neck and pushed him against a wall. The admission rankled many, and has been cited frequently in recent days as a reason Marshman should not be picked.

More pressing, though, have been police responses to protests that have unfolded since Donald Trump was elected president. Rioting broke out shortly after election day, when police had used a light touch on demonstrators marching through the street. That resulted in a revamped strategy that many believe has been too forceful.

## City Council Will Consider Killing the "48-Hour Rule"— Once Again—on Wednesday

*By Dirk VanderHart  
August 7, 2017*

Portland police could press forward with immediately compelling statements from officers involved in shootings if a new proposal from Commissioner Nick Fish and Mayor Ted Wheeler is approved on Wednesday.

The change, to be floated in a planned substitute ordinance [**PDF**], would essentially reinstate a provision in the city's latest contract with the rank-and-file police union, the Portland Police Association (PPA), allowing officers who use deadly force to be interviewed by internal investigators shortly after the incident. That provision replaced language—known as the "48-hour rule"—that gave cops two days before giving a statement to the Internal Affairs Division.

The death of the 48-hour rule was a hallmark of a new contract inked with the PPA late last year, and a central reason why Fish and Commissioner Amanda Fritz said they supported the agreement. But earlier this year, Multnomah County District Attorney Rod Underhill **issued a memo** that suggested compelling statements from cops might amount to a breach of their constitutional rights, and could make it impossible to prosecute them in court should a grand jury find it likely they'd committed a crime.

Wheeler, who campaigned opposing the 48-hour rule, has suggested challenging Underhill's opinion in court (something the DA has said he welcomes). But in the meantime, Wheeler had said the city would comply with the memo, not compelling officer statements until after a criminal inquiry is complete. That can take more than a month.

Under the substitute ordinance Wheeler and Fish plan to introduce on Wednesday, that would no longer be the case. Instead, Fish says the new proposal would allow the city to continue to compel officer statements "within 48 hours" following shootings.

"The mayor and I will be introducing a substitute ordinance which will make clear that we are adopting and implementing the post-deadly force procedure immediately," Fish says. "Based on the case law, we think our approach is constitutional, and we also think we have very little risk."

The change in strategy owes, in large part, to a memo [**PDF**] drafted by the local chapter of the National Lawyers Guild. The 13-page document argued against Underhill's reasoning, and suggested that the city should compel officer statements while it waited for a ruling from a court as to whether the DA is correct (the city attorney and director of the city's Independent Police Review have also disagreed with his reasoning).

When a National Lawyers Guild representative testified before city council at a lengthy hearing last week, Fish asked numerous questions about the organization's reasoning, and shortly after

pulled City Attorney Tracy Reeve aside for a quiet chat—the first sign an amendment was in the works.

Fish and Wheeler have since "had the city attorney's office look at this very closely," Fish says. "This is not a criticism of the district attorney, this is our independent analysis that we're on strong legal footing."

The approach is not likely to be popular with the police union. Though the PPA agreed to axe the 48-hour rule in contract negotiations last year, it's been emboldened by Underhill's memo. PPA President Daryl Turner has said recently that compelling testimony from his officers before a criminal investigation is complete is tantamount to stripping cops of their constitutional rights.

The 48-hour rule's potential second death will be one of three police reform measures taken up for the second time on Wednesday afternoon. It will join a change granting the Independent Police Review more authority (not controversial) and a proposal for a new citizen oversight board of Portland police reforms (intensely controversial).

Fish says he's confident the substitute ordinance will get at least a third vote. He's hopeful there will also be unanimous support to slap an "emergency clause" on the item. If approved that would allow it to go into effect immediately (though Fish says, due to PPB departmental rules, the actual policy wouldn't take effect for 30 days).

## **Jo Ann Hardesty Will Challenge Commissioner Dan Saltzman Next Year**

*By Dirk VanderHart  
August 4, 2017*

The race for Commissioner Dan Saltzman's city council seat just got interesting early.

Jo Ann Hardesty, a former state representative (1995-2001), president of the local chapter of the NAACP, and a constant police oversight advocate, informed Saltzman this afternoon she'd be challenging him in the May primary.

First, though, Hardesty tried to convince the city's longest-tenured current elected official not to run.

"I just left his office," she told the *Mercury* this afternoon. "I told him that I thought he had been there for a while and he probably would be ready to retire. He didn't say much except he's committed himself for re-election." (We've reached out to Saltzman's office for comment on the meeting.)

Hardesty's name has been floated for months as a potential council candidate, but she'd so far declined to reveal her plans. She also had two seats she could choose to pursue—Commissioner Nick Fish is also up for re-election next year, and has said he's running. (Her candidacy was first reported on Twitter, by the *Tribune's* Nick Budnick.)

Asked why she chose to take on the more-seasoned Saltzman, Hardesty said: "Because he has been there a long time. He has been a housing commissioner for a lot of that time, and yet we continue to see a rise in the houseless population and really poor policy around affordable housing. He's the one I'm most disappointed in." (Mayor Ted Wheeler has been housing commissioner since January.)

Hardesty says she began seriously mulling a council run last October, when **police officers mobilized in City Hall** to prevent protestors from interrupting approval of a controversial contract with the city's largest police union (a contract that's **looking like a worse and worse deal**, these days).

Hardesty began more formally laying groundwork for a campaign five months ago, she says, and today **launched a campaign website** before going to speak with Saltzman.

While Hardesty's platform currently includes police reform, changes to city meetings policy, housing, and job creation, there's little doubt she'll also emphasize her differences from Saltzman as she courts voters. According to her campaign bio, Hardesty grew up in Baltimore, the daughter of a longshoreman and stay-at-home mom. Saltzman comes from a wealthy Portland family. She lives in the Gateway neighborhood, off 102nd. Saltzman lives in Southwest Portland's Hillsdale neighborhood. She is African American. He is white.

"I just don't think his lived experiences and mine match," Hardesty says. "I think mine match most of Portland."

In tossing her name in as a candidate, Hardesty is possibly damning herself to campaign twice next year. She plans to be the chief petitioner on a ballot measure that would **create a new corporate** tax to pay for renewable energy projects.

She'll also have to hit the fundraising circuit—hard. State records show Saltzman's been tapping the connections forged in nearly a quarter century in public office—five years as a Multnomah County commissioner, and 18 as a city commissioner—to **rake in cash**. His campaign committee has raised more than \$62,000 this year.

Hardesty says she needs to raise \$250,000 to mount a viable campaign. She thinks she can do it.

"I've talked to a lot of people who I have sought support from who would have traditionally supported Saltzman because they've always supported Saltzman," she says. "What people are saying is, 'We're going to wait and see who else is in the race.'"

## **The Portland Business Journal**

### **Portland taps Oakland deputy as first female African-American police chief**

*By Andy Giegerich  
August 8, 2017*

A deputy police chief from Oakland, Calif., will become Portland's next police chief.

Danielle Outlaw will be formally introduced as the new chief on Thursday. She's a 19-year veteran of that department who's served as deputy chief since 2013. She supervised more than 1,000 employees in an organization "committed to community policing, transparency and accountability," said Mayor Ted Wheeler.

She'll become the city's first African-American female chief.

"I have concrete goals for the Portland Police Bureau, all of them challenging to achieve," Wheeler said in a release. "I need a partner. I need a leader. More than that, I need someone with a passion for this work who will be in it for the long haul. Danielle Outlaw is that person."

Chief Mike Marshman was a finalist for the post. Marshman decided to retire after the decision, the Oregonian reports.

Outlaw says policing is her life's passion.

"I want to make a positive difference in the lives of my fellow officers and the residents of the community," she said. "Portland is an amazing city. I am humbled by the tremendous opportunity in front of me and am ready to get to work."

Wheeler said the department's morale, "which had earlier dipped to crisis levels," improved "greatly" under Marshman. The chief had taken over after Larry O'Dea resigned amid an investigation into a Southeast Oregon hunting trip incident. O'Dea was eventually indicted for negligently wounding another person on the trip, a misdemeanor charge.

"(Marshman) took a ship in troubled waters, in danger of running aground, and turned us back towards the horizon," said Daryl Turner, president of the Portland Police Association, in a statement. "His leadership stabilized this organization and improved morale. We have nothing but respect and admiration for him as our police chief and as a member of the Portland Police Bureau."

Outlaw is set to start by Oct. 2. The Oregon State Police will conduct a background check that's expected to last between four and six weeks.

## **Homer Williams takes first steps on new affordable housing development project**

*By Clare Duffy  
August 7, 2017*

Homer Williams, the Portland developer behind parts of the Pearl District and the South Waterfront Park who's also known for his efforts to end homelessness in Portland, has taken the first steps on a new development project.

Williams is working with the owners of the Broadmoor Golf Course to get parts of the property's zoning changed from "open space" to "industrial sanctuary." He says this could free up industrial land in other parts of the city for affordable housing development.

Williams submitted the zoning change application late last month and has a meeting with the Portland Bureau of Development Services scheduled for Aug. 17.

The zoning change would apply to about 84.6 of the site's total 122 acres of land at 3509 NE Columbia Blvd.

Williams' last plan to help address Portland's homelessness problem by creating the "Harbor of Hope" homeless shelter on the former Terminal 1 property fell through after neighbors and some city commissioners opposed the plan. He had raised more than \$36,000 for the shelter, which he said would have housed around 400.

"We remain ready to help in this effort, provided the city, business community and nonprofits seek to build upon the momentum we have created to help solve this hugely important crisis," Williams told the Business Journal after his Terminal 1 plan was turned down by the city.

Per state law, the city of Portland is required to maintain a supply of land suitable to meet industrial and employment needs for the next 20 years. Williams' plan is to switch the zoning of

the Broadmoor Golf Course to bolster the supply of industrial land: It would allow the zoning of other, smaller industrial sites throughout the city to become zoned for multifamily housing, resulting in no net loss of industrial land.

“Many of the industrial zoned properties throughout the city would be better suited for affordable housing development to help alleviate the city’s severe shortage of affordable housing,” the application states. “While the current (Broadmoor) site is designated as Open Space, it is utilized as a private golf course, and therefore has limited public space value.”

Additionally, the plan would maintain the open space designation for areas of the site directly surrounding the Columbia Slough.

## **Pickathon stage will become tiny homes for transitional housing village**

*By Jon Bell*

*August 7, 2017*

Country singer Kelsey Waldon made it feel like a honky-tonk in the Deep South, while indie rocker Ty Segall and his band rocked out on it as if it were an arena stage.

But now that Pickathon 2017 has come to a close, the Treeline Stage — one of six at the annual music festival in Happy Valley — will become part of a transitional housing village in Clackamas County.

Designed and built by architecture students from Portland State University, the intricate stage included 690 wooden trusses that created three structures ranging in height from 12 to 32 feet tall. Once the stage is dismantled, the trusses will be used to construct sleeping pods for homeless people in the new transitional housing village.

“We are aiming to make the biggest impact we can through the dual use of these materials, first as part of a powerful stage design that speaks of our shared human need for sanctuary and connectedness,” said Travis Bell, an assistant professor at PSU, in a release. “Next, after the festival, the materials will be transformed into a series of tiny homes that offer actual sanctuary and safety for the individuals who will live in them, and the sense of connectedness and community that comes from being part of a village.”

According to the release, the design of the new pods comes from architecture firm SRG Partnership, which last year was one of several local firms that came up with designs for pods that could provide shelter for some of the city’s homeless population. A version of SRG’s pod is currently in use in the Kenton Women’s Village, a tiny-home village that provides shelter to 14 women in North Portland.

This is the fourth year that students from PSU have worked on the Treeline Stage at Pickathon. Materials have always been re-used in other construction projects, but their use in housing pods is something entirely new.

“In many ways, this is the ideal of sustainability — not just to keep one’s use of materials to a minimum, but to find ways to make our use of materials mean more, create more, and actually have a positive social and environmental impact on the world, through innovative design combined with compassion for those in need,” said Bell.

“We are diverting energetic surplus in addition to material surplus — we are diverting good will, human effort and design.”

## The Skanner

# Mayor Wheeler Names Danielle Outlaw to Lead Portland Police Bureau

*By Michael Cox  
August 7, 2017*

PORTLAND, OR – Mayor Ted Wheeler today announced that he has selected Danielle Outlaw to become the next Chief of the Portland Police Bureau. Outlaw is a 19-year veteran of the Oakland Police Department, where she served as a Deputy Chief since 2013. Outlaw will be formally introduced at a press conference on Thursday, August 10.

During the selection process, Mayor Wheeler emphasized the qualities he wants in a police chief, based upon the principles of President Obama’s Task Force on 21st Century Policing.

The Mayor selected Outlaw based on her ability to provide leadership and supervision to over 950 sworn and 270 non-sworn employees, to work effectively with diverse communities, and to lead an organization committed to community policing, transparency and accountability. Wheeler and Outlaw have a shared dedication to improving relationships with Portland’s communities of color, increasing diversity and embracing equity.

**“I have concrete goals for the Portland Police Bureau, all of them challenging to achieve. I need a partner. I need a leader. More than that, I need someone with a passion for this work who will be in it for the long haul,” said Wheeler. “Danielle Outlaw is that person.”**

Outlaw worked for the Oakland Police Department since 1997, beginning her career as an Oakland Police Explorer while she was a student at Holy Names High School. She rose through the ranks, with assignments including Patrol, Community Services, the Office of Chief of Police, the Criminal Investigation Division, Public Information, Internal Affairs and the Office of Inspector General, and the Bureau of Risk Management.

Outlaw was the 2nd female Deputy Chief in the history of the Oakland Police Department and the 1st this century. She is also the 1st woman in the history of the Department to lead The Bureau of Field Operations Two, which encompasses East Oakland.

Outlaw obtained a Bachelor of Arts in Sociology from the University of San Francisco and a Master of Business Administration from Pepperdine University. She is a graduate of the Police Executive Research Forum Senior Management Institute for Police and the Major Cities Chiefs’ Association Police Executive Leadership Institute. Outlaw is a member of the National Organization for Black Law Enforcement Executives (N.O.B.L.E.).

**“My life’s passion is policing. I want to make a positive difference in the lives of my fellow officers and the residents of the community,” said Outlaw. “Portland is an amazing City. I am humbled by the tremendous opportunity in front of me, and am ready to get to get to work.”**

The Mayor undertook a recruitment and selection process that included public input. That process included an online survey asking Portland residents the qualities and characteristics in the next police chief. The Mayor held invited community focus groups to help develop the job

description. The City formed interview panels consisting of community stakeholders to forward their recommendations to the mayor.

Outlaw will step into a role previously held by Mike Marshman. During his tenure as Chief, Marshman jump-started recruitment efforts, attracting a highly-qualified, diverse set of recruits to fill a shortage in the ranks of officers. Morale, which had earlier dipped to crisis levels, improved greatly under Marshman.

**“Mike Marshman made tremendous strides in key areas during his time as Chief,” said Wheeler. “I enjoyed a positive working relationship with him, and have the highest respect for him as a leader and as a person. He is a good man.”**

Wheeler has set an intended start date for Outlaw of no later than Monday, October, 2. The offer of employment is contingent upon the successful completion of a background check conducted by the Oregon State Police. The background check is expected to take four to six weeks. Outlaw has stated her intention to live within Portland city limits.

The mission of the Portland Police Bureau is to work with the community to create and maintain safe neighborhoods. The Bureau’s mission is to reduce crime and the fear of crime by working with all citizens to preserve life, maintain human rights, protect property and promote individual responsibility and community commitment.

## **OPB**

### **Portland Mayor Taps Danielle Outlaw To Be Police Chief**

*By Amelia Templeton and Conrad Wilson  
August 7, 2017*

Portland Mayor Ted Wheeler has chosen a new police chief, fulfilling a promise he made shortly after he took office.

He has offered the position to Danielle Outlaw, 41, a deputy chief in the Oakland Police Department.

It is the first time in more than a decade an outsider will lead the force. The past four chiefs all rose from within the ranks of the Portland Police Bureau. Outlaw will also be the first African-American woman to serve as Portland’s chief.

Outlaw is a 19-year veteran of the Oakland Police Department, where she served as a deputy chief since 2013.

“I’m thoroughly happy with Daniel Outlaw and the wealth of experience that she brings in both doing law enforcement work and also work around accountability and reform and implementation in the Oakland Department,” said T. Allen Bethel, co-chair of the Albina Ministerial Alliance (AMA) Coalition for Justice and Police Reform.

Bethel served on the interview committee that recommended finalists to Mayor Wheeler.

“She is clearly a first-rate police officer and she is somebody who I think will take time to get the community and understand the concerns of the community,” said Sandra McDonough, president and CEO of the Portland Business Alliance.

McDonough, who also sat on the interview committee, says she was struck when Outlaw spoke about being a mother.

“She spoke about how she feels when her sons get in a car and drive away and what she thinks about what their experience will be with police and with the community,” McDonough said. “As a parent that resonated with me and it spoke to me about the empathy that she will bring to all of Portland.”

Even some of Mayor Wheeler’s harshest critics on the left said they are “cautiously optimistic” about the new chief.

“We want to acknowledge the courage it took for Ted Wheeler to stand up to the Portland Police Association, one of the most powerful political forces in Portland,” said Gregory McKevey, an activist with the group Portland’s Resistance.

Outlaw inherits an agency facing two major issues: Recruiting challenges that have led to a significant staffing shortage as well as implementing reforms required by the U.S. Department of Justice.

Outlaw worked in various assignments throughout the Oakland Police Department, including Patrol, Community Services, the Office of Chief of Police, the Criminal Investigation Division, Internal Affairs and the Office of Inspector General, according to a biography provided by Wheeler’s spokesman.

Outlaw has a Bachelor of Arts in Sociology from the University of San Francisco and a Master of Business Administration from Pepperdine University.

Wheeler says Outlaw will start in her new role no later than October, contingent on her passing a background check.

While many praised Wheeler’s hire, reaction from the city’s police union was muted.

“She has large shoes to fill,” said Portland Police Association President Daryl Turner.

The union supported outgoing chief Mike Marshman and publicly opposed the mayor’s national search for a new chief.

“The first priority is building the stability and integrity that Mike Marshman left and to build a rapport and relationship with the rank and file, who are the foundation of this organization,” Turner said.

Outlaw comes from a department that’s been rocked by turmoil.

In 2016, the Oakland Police Department went through three chiefs in nine days stemming, in part, from a sex scandal involving more than a dozen officers.

Like Portland, the Oakland Police Department has been under court orders to improve transparency and accountability when officers use force.

Both on the campaign trail and in office, Wheeler promised reforming the police bureau would be a top priority, with a focus on improving the bureau’s relationship with Portland’s black community and other communities of color.

Wheeler said Outlaw shares those priorities.

“I need a partner. I need a leader,” Wheeler said in a press release. “More than that, I need someone with a passion for this work who will be in it for the long haul. Danielle Outlaw is that person.”

Early in his tenure, Wheeler has struggled to advance his agenda of improving community relations amid events in Portland that have escalated tensions between police and minority communities.

In February, an officer shot and killed Quanice Hayes, an African-American 17-year-old carrying a fake gun. In July, Assistant Chief Kevin Modica, the city's highest ranking African-American officer, was forced out. Most recently, Wheeler has faced an ongoing controversy over whether the city can compel officers to testify within the first 48 hours after they use deadly force.

Wheeler interviewed four finalists for the chief position in person last month.

Current Chief Mike Marshman had competed to keep his job. He announced his retirement minutes after Wheeler named Outlaw as his pick.

"It has been an honor to serve as Chief of Police and to serve this community throughout my career," Marshman said. "I'm confident that the Portland Police Bureau will continue to be a leader in 21st century policing and the community should rest easy knowing they have one of the best police departments in the country."

Assistant Chief Chris Uehara was named Interim Chief until Outlaw is appointed to the Bureau.

Marshman was promoted to chief in June 2016 after his predecessor, Larry O'Dea, resigned after he shot a man on a hunting trip.

Wheeler said he planned to keep Marshman on the job while conducting a national search for the city's next chief.

Marshman previously served as the bureau's liaison to the federal Department of Justice. He was charged with managing the implementation of the city's settlement with the DOJ over excessive police use of force.

Turner, the PPA president, said he will miss Marshman and wished him well.

"Mike Marshman took an organization in more turmoil than it had been in a quarter century, a ship that was running aground and got it turned around back toward the horizon," Turner said. "Morale was very low. Morale is up. He brought stability to the organization, legitimacy to the organization."

Wheeler has the authority to unilaterally hire the police bureau's next chief, but throughout the process, he has called on city staff and community members to narrow down the list of about 30 applicants.

Six candidates were interviewed by about 20 community members. The panel included representatives from the Lents neighborhood, advocates for the homeless and mentally ill, the head of the city's police union and representatives of the city's business community.

The largest constituency on the interview panel represented Portland's communities of color and included the leaders and board members from the NAACP, the Urban League, the Albina Ministerial Alliance Coalition for Justice and Police Reform and the Latino Network.

# US Attorney Says Oregon Sheriffs Need To Cooperate With ICE

*By Kate Davidson*

*August 7, 2017*

Oregon's top federal prosecutor wants sheriffs to cooperate more regularly with federal immigration officials.

U.S. Attorney for Oregon Billy Williams wrote an opinion column in *The Oregonian* this weekend declaring the state's so-called sanctuary policy a public safety threat.

In an interview today on OPB's "All Things Considered," he suggested that local leaders have misconstrued state law.

"In the current state of affairs, sheriffs are in a position where they're afraid to share information about known criminals who are back in the system and unfortunately are being released, and some of them are committing additional criminal offenses," he said. "... State law allows for sharing of information. That fact has been lost upon some members of law enforcement and the state because of the concerns over violating state law, violating federal law."

He used the example of Sergio Jose Martinez, who has been arrested in Multnomah County and released at least twice in the past year despite having been deported 20 times.

Police arrested Martinez, 31, on July 25 after receiving reports he was carrying a knife and had assaulted two women. One of those women was a 65-year-old Northeast Portland woman who police say Martinez physically and sexually assaulted in her home before stealing her car.

Sheriff Mike Reese and federal officials have disagreed about who is responsible. Reese has defended how his office handled the case, saying federal officials failed to file the proper paperwork to allow them to keep Martinez in jail.

A 30-year-old Oregon law says local law enforcement officials cannot use government resources to aid federal immigration agents in cases in which the only crime committed by the person they're arresting or holding is being in the country illegally.

In 2014, a federal magistrate judge ruled that a Clackamas County woman had been held illegally after the county jail detained her on a request from U.S. Immigration and Customs Enforcement.

Many sheriffs and police chiefs across Oregon have interpreted the state law and that legal decision to mean they cannot, for example, notify ICE agents when they've arrested someone they believe is in the country without the proper documentation.

Williams wants sheriffs to be more proactive in working with federal officials.

"The state law as originally enacted ... had to do with concerns over local law enforcement targeting minority populations who may not be in the country lawfully," he said. "But it never said you couldn't share information ... Sharing information is critical to law enforcement and public safety, and it's not happening right now. That's the problem."

To hear the entire conversation between "All Things Considered" host Kate Davidson and U.S. Attorney Billy Williams, use the audio player at the top of this story.