

The Oregonian

Former Portland Police Chief Larry O'Dea to fight to Keep his Police Certification

*By Maxine Bernstein
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Former Portland Police Chief Larry O'Dea, discredited for his delay in reporting his off-duty shooting of a friend in April 2016 and then lying about it to investigators while he was chief, will fight to keep his state police certification Thursday.

He's scheduled to appear with his lawyer before a committee of Oregon's police certification agency to argue his case.

The committee will decide if O'Dea's misconduct in the shooting and his mishandling of an employee's discrimination complaint violates moral fitness standards for his profession.

O'Dea retired in June 2016 while he was under investigation in the shooting two months earlier during a camping trip. He also was accused at the time of not reporting an employee's discrimination complaint against the Police Bureau's equity manager.

Subsequent investigations found that he was "untruthful" in both cases and brought discredit to the city.

O'Dea's lawyer has submitted a 21-page letter to the state Department of Public Safety Standards and Training, arguing that the city's findings are "false and/or not supported by credible evidence."

Attorney Derek Ashton said the shooting was an "accident," not a "negligent discharge" – even though O'Dea approved a brief news release a month after the shooting that described it as a "negligent discharge." That was O'Dea's first public admission that he shot his friend and came only after reporters asked about it.

An "off-duty accident that occurs unexpectedly and unintentionally should not bring 'reproach and discredit'" to the city or the Police Bureau, Ashton wrote to the committee.

"To the extent reproach or discredit was brought upon the PPB or the City of Portland, the direct cause was publicity seeking by others and/or false and defamatory media coverage," he added.

Ashton also argued that the indictment of O'Dea was a "meritless prosecution" that the "alleged 'victim' did not want and which was of zero benefit to the public."

The extensive transcripts and new details in the full Independent Police Review reports released Monday chronicle the web of misdirection and manipulation from the mayor's office to the chief.

A Harney County grand jury indicted O'Dea on a negligent wounding charge for the shooting. A judge agreed to a civil compromise that allowed dismissal of the charge, though he first ordered O'Dea to drive to Burns to have a jail mugshot taken.

The city office that investigates allegations of police misconduct found that police supervisors and then-Mayor Charlie Hales ignored protocols that called for an immediate internal investigation when O'Dea shot his friend, marking "an organizational failure of the highest order."

Independent Police Review investigators also concluded that O'Dea misled his three assistant chiefs and Hales about the case.

O'Dea first told them about the shooting four days after it occurred in a 7 a.m. phone call to the mayor and an 8 a.m. meeting with his assistant chiefs. The chief said then that he had already told the police internal affairs captain and the Sheriff's Office in Harney County, where the shooting happened, about his role.

But he hadn't done either, according to the investigative reports. He also lied to Independent Police Review officials about the shooting, the investigation found.

O'Dea shot his friend, Robert Dempsey, while they were camping with other friends in the Catlow Valley area of Harney County. They were shooting at ground squirrels at the time. A hollow-point bullet from O'Dea's rifle hit Dempsey in the lower back and fragmented. Dempsey was released from the hospital the next day, the bullet still in his body.

The second city investigation found that O'Dea failed to follow reporting requirements when an administrative assistant in his office came to him with allegations that the Police Bureau's diversity manager, Elle Weatheroy, had made racist remarks to her. Investigators found that O'Dea then lied about what he knew when they interviewed him.

The investigation found Weatheroy, who is African American, asked a co-worker of Pacific Island descent about why she was married to a white man and how she could eat lunch with "a bunch of white women."

The administrative assistant reported her concerns to her boss, then-Assistant Chief Kevin Modica, as well as O'Dea and Capt. Derek Rodrigues, who was head of internal affairs at the time, but none of the three supervisors immediately told the city's Human Resources Bureau, according to internal affairs and city investigative reports obtained by The Oregonian/OregonLive.

While Modica, another assistant chief and the administrative assistant each told investigators that they told O'Dea immediately about the remarks, O'Dea denied hearing about them until many months later.

City investigators determined O'Dea lied about what he knew when in his internal affairs interview.

O'Dea's lawyer submitted to the committee a resume of O'Dea's 30-year police career, awards and honors as mitigating factors.

The committee, made up of O'Dea's former peers including police chiefs and sheriffs from around the state, is expected to issue a recommendation Thursday on whether to suspend or revoke O'Dea's certification. The recommendation will go to the certification department's board, which will vote whether to accept it at a future date.

Portland Neighborhoods Increasingly out of Reach for Renters, 'Housing Instability' Grows: Report

*By Douglas Perry
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The rising cost of housing in Portland continues to be one of the foremost challenges facing the city.

The City Council voted last October to extend its “housing emergency” declaration, allowing the city to fast-track building permits for affordable housing projects, among other measures. The council continues to work on a renter’s rights policy.

"There's more we need to do to stabilize the systems that impact housing and homelessness in our community," Mayor Ted Wheeler said. "This is an emergency that requires action now."

To help meet that challenge, the Housing Bureau last month asked for \$800,000 a year to run the new Office of Renter Services. It’s also seeking, among other requests, \$500,000 in ongoing funding to help low-income homeowners stay in their homes.

Portland building boom leads development bureau to request 30 n

The need for such action has become undeniable for many Portlanders. The 2017 International Housing Affordability Survey by the St. Louis-based public-policy consulting firm Demographia found Portland to be the ninth most unaffordable housing market in the country, tied with Seattle.

"Folks are really struggling to make ends meet," Neighborhood Partnerships spokeswoman Alison McIntosh told The Oregonian’s Elliot Njus last June. "If you pay more than 30 percent of your income for housing, you don't have enough left over for basic necessities."

The Portland Housing Bureau put out its most recent “State of Housing in Portland” report in December 2016, showcasing the growing problem.

“Rents and home prices continue to rise, and housing instability and involuntary displacement are a constant presence for far too many Portlanders,” Commissioner Dan Saltzman wrote in the forward to the report.

Below are some of the key findings:

Average 2016 monthly rent in Portland (and change from previous year):

Studio apartment: \$1,169 (+3.0 percent)

One-bedroom: \$1,328 (+12.4 percent)

Two-bedroom: \$1,520 (+18.2 percent)

Three-bedroom: \$1,562 (+14.7 percent)

“Rents for 1-, 2-, and 3-bedroom apartments have increased in every neighborhood in the city,” the report states. “With the exception of the St. Johns and Hillsdale-Multnomah-Barbur neighborhoods, a Portland renter looking for a 1-bedroom apartment with an average rent below \$1,000 per month will likely need to look east of 60th avenue.”

Northwest Portland remained the most expensive part of the city for renters, with average rent for one-bedroom apartments going for \$1,618 and two bedrooms going for \$2,585.

“Three-person extremely low income” households (median income \$19,800) could afford rent in only two neighborhoods (Gateway and Parkrose-Argay) and then only for studio apartments, the report found. (“Affordable housing” refers to units that cost a resident 30 percent or less of their gross income for rent and utilities.)

The average senior household (median income \$37,469) had trouble finding affordable rental units in most neighborhoods, with their best bets often coming in the outer East, Montavilla, MLK-Alberta, St. Johns and Gateway neighborhoods.

Low-income residents weren’t the only ones who had trouble finding rental options that took up less than 30 percent of their monthly income.

Even “3-person moderate income” households (median income \$52,800) struggled to find affordable rental units in many neighborhoods. The average such household was mostly priced out of one- and- two-bedroom units in neighborhoods such as the Central City, Forest Park-Northwest Hills, Northwest, Belmont-Hawthorne-Division, South Portland-Marquam Hill and even the Interstate Corridor.

Portland’s 2016 rental market by the numbers:

20: percent of rental households that are shared (roommates, boarders, etc.)

26: percent of rental households with at least one person with a disability

44: percent of renters who moved within the past two years

45: percent of households that are renting

52: percent of renter households that are “cost-burdened” (they spend more than 30 percent of their income on rent)

70.06: percent of black households that are renting

67.99: percent of Latino households that are renting

How difficult was it for renters to become homeowners in Portland in 2016? The Housing Bureau report listed only eight neighborhoods that qualified as affordable for the average Portland household (median income \$53,230). They are:

122nd-Division

Centennial-Glenfair-Wilkes

Gateway

Hayden Island

Lents-Foster

Parkrose-Argay

Pleasant Valley

St. Johns

The Portland Mercury

Portland Police Bureau Announces First Conviction Based on Backlogged Rape Kit Evidence

By Megan Burbank

February 15, 2018

The Portland Police Bureau sent out a press release this week announcing the conviction of Jose Rosales on two counts of sex abuse in a case originally reported to police in 2006. In November of 2016, the Portland Police Bureau Detective Division's Sex Crimes Unit was able to identify Rosales based on evidence that had been in the state's rape kit backlog and was finally processed with funding from a Sexual Assault Kit Initiative Grant from the Department of Justice.

It's the first conviction based on evidence from the backlog, and PPB's release frames it as a something of a good news story. Obviously, it's a good thing that the backlog is being processed and crimes are getting solved. But taking 10 years to solve a crime because evidence wasn't processed in a timely way is symptomatic of a much larger problem. The PPB says it's working through an inventory of 1,700 untested kits.

Two years ago, I wrote a feature about why we have such a backlog, and how law enforcement can do better by victims of sexual assault. Here's what Detective Carrie Hull, the police officer pioneering a new, victim-centered law enforcement approach to sexual assault cases with the Ashland Police Department, had to say then about why a backlog develops:

“What we’re seeing in Oregon mirrors what we’re seeing across the United States,” says Hull. “I say that because we find as a profession in law enforcement that we really did not receive specialized training about this issue. And I’m not saying that as an excuse for anything that law enforcement did or did not do. It’s really just reality that within the last couple of years we’re just starting to see significant training that helps law enforcement understand the value of processing these kits. And there really is a significant value.”

The PPB's Sex Crimes Unit is encouraging anyone who has had a SAFE kit collected before 2015 and wants to know their kit's status to reach out to the Rose Project at roseproject@portlandoregon.gov or 503-823-0125. Information will only be released to the victim listed in the police report.