

The Oregonian

Police Keep Second List to Track Portland Gang Members, New Audit Reveals

*By Maxine Bernstein
March 28, 2018*

Portland police still keep an informal list of active gang members despite purging a more formal directory of "designated" gang members last fall under fire from community critics, a new city audit has found.

The bureau's Gang Enforcement Team also lacks records to explain why its officers pull over so many African American people during traffic stops or if their tactics work, auditors said.

The two main findings come at a critical time when community and police relations are strained amid a breakdown in public oversight of police reforms required by federal investigators.

Mayor Ted Wheeler, who serves as the city's police commissioner, said he was particularly troubled by the team's dearth of records on most of its encounters with the public.

"The audit correctly notes that it is difficult to demonstrate to the community that the (team) is not engaging in racial profiling if there is inadequate data collection and analysis of stops," Wheeler said in a response included with the audit.

Auditors set out to analyze the Gang Enforcement Team's investigations and patrol operations and discovered that the team has kept a list of "Active Portland Gang Members & Associates" since 2015 – but without accountability or transparency.

It's a monthly compilation of about 30 people that goes out on the bureau's intranet to other officers. It contains names, addresses, gang affiliations and whether the person is on probation or supervision.

No police supervisor oversees the list, auditors said. It has no written criteria and includes no public notice.

That's much different than the bureau's two-decade-old gang designation system discontinued last fall. Under that program, police had to document "clear and convincing evidence" that people met certain criteria, notify them and provide a chance for them to appeal the designation.

For the active list, for example, auditors asked for information on how officers came up with the names in 2016. But police had deleted the details despite bureau rules that say they must keep criminal intelligence records and bulletins for five years.

The bureau did have the information supporting the 2017 active list, saying it ranked people based on whether they were named as suspects in shootings or in recent police reports, the number of contacts they had with police, if police seized guns from them and if they were victims of gang-related shootings.

City Auditor Mary Hull Caballero said the bureau must have tighter controls, especially given that a federal judge in 1994 prohibited Portland police from designating gang members without due process.

Hull Caballero, however, stopped short of asking police to do away with the list, calling it a bureau policy decision.

"The Police Bureau last year gave itself a big pat on the back when it discontinued its gang designations. So it's incredibly disappointing to hear all the while they're using this other list with absolutely no supervision," said Mat dos Santos, legal director of the American Civil Liberties Union of Oregon.

Police Chief Danielle Outlaw said police will draft written guidelines by July for the active gang member list, which the bureau has renamed the "Most At-Risk Persons" report. The guidelines will set out how police identify people for the list and how it will be used and kept, with input from the city attorney's office.

"As a police agency, we remain committed to transparency and are willing to always pursue enhancements that benefit the bureau's efforts in ensuring public safety in our service of the Portland community," Outlaw wrote in her response to the audit.

When asked if the city attorney's office has evaluated the legality of the active gang member list, Andrea Barraclough, a deputy city attorney, said she couldn't comment about "legal work on behalf of my client."

POLICE DEFEND LIST

Police said the list is no different from fliers that narcotics enforcement officers develop identifying suspects in drug trafficking cases. It's simply a synthesis of police reports and compiled for officer safety, they said.

They distinguish it from the long-standing past practice of designating gang members, which sometimes rested on a suspect's admission of ties to a particular gang, the presence of a gang tattoo or the flashing of a gang sign in a photo.

"The purpose is to identify people who have demonstrated that they are at risk for being involved in gang-related violence, based on recent involvement in such incidents," said Sgt. Pete Simpson, a bureau spokesman and former gang enforcement team investigator.

"It will provide investigators and officers information on potential leads in investigations and will allow for potential intervention and disruption to prevent potential victimization and/or violence," he said.

Auditors noted that the bureau loosely based its active gang member list on the Chicago Police Department's "strategic subjects list," but the Chicago list is governed by a written directive and evaluated and monitored with public awareness.

'MERE CONVERSATIONS' PROVE CONTROVERSIAL

Poor record-keeping and lax practices made it impossible to analyze or explain the overrepresentation of African Americans in gang enforcement team traffic stops, auditors said.

They also couldn't determine if the team's stops or patrols have been effective in identifying dangerous criminals or reducing gang violence.

The team now has 26 officers and a nearly \$7 million annual budget. Six officers and one sergeant patrol in uniform in the afternoon and evening and concentrate on places where they expect gang violence, including certain neighborhoods, parks and bars. They pull over cars or people they recognize or make a stop if a driver acts suspiciously, according to the audit.

Of 1,300 encounters with people in 2016, the team's patrol officers made 800 traffic stops. The majority, or 59 percent, of the traffic stops involved African American drivers. They recovered guns in only 2 percent of those, the audit found.

The rest of the encounters were classified as "mere conversations," and the bureau had little to no information to share on them.

Police define "mere conversations" as contacts with people who are free to leave at any time. They can turn into a "stop" if police decide to detain someone, according to police and the audit.

With "mere conversations," officers aren't required to write a report, explain the reason for the encounters or record demographic information on the people they talked to.

The number of the gang enforcement team's "mere conversations" has increased since 2013, and the team engages in "mere conversations" at a much higher rate than general patrol officers assigned to precincts, the audit found. In 2016, "mere conversations" represented 12 percent of precinct patrol officers' interactions, compared to 41 percent of gang enforcement team interactions.

The Black Male Achievement initiative has long been concerned about the bureau's use of "mere conversations" to avoid documenting encounters with the public, said C.J. Robbins, the group's program coordinator. The "mere conversations" drive disproportionate stops of African Americans, he said, and the bureau needs to address the problem.

'LACK OF DATA ... SHOULD BE A CONCERN'

Auditors also identified inconsistencies between the team's records and dispatch records.

In more than 400 of the team's "mere conversations" in 2016, officers told dispatchers that they issued warnings. But that would require them to identify a violation of law. Why wouldn't that then be recorded as a stop, asked senior management auditor Minh Dan Vuong.

"The lack of data for a large portion of the team's encounters with community members should be a concern to police managers who would get an incomplete picture if they analyzed the data or used it in public reporting," the audit said.

The racial disparity of the team's traffic stops doesn't surprise police because they said most gang-related shootings involve African Americans as shooters and victims.

But the racial disparities remain stark when auditors narrowed their analysis to specific neighborhoods on the city's east side where the team patrols, finding African Americans were stopped at rates more than two times higher than the African American populations in those areas.

Rarely did the team's officers cite an investigative reason for a stop, beyond noting a traffic violation, such as failure to signal a turn. And officers didn't record for the vast majority of stops whether they involved gang members or associates.

While the team officers may believe they're doing important work suppressing potential violence, it's not hard to see why African Americans might feel that they're facing police oppression, Hull Caballero said.

"We're not saying there's not a gang problem. We're not saying this unit should be disbanded," she said. "If these are the appropriate tactics, you need to show that they really are and are effective."

While the Police Bureau has released three years of annual traffic stop data since 2013 to address potential racial profiling concerns, the reports haven't included stops by the gang enforcement team. The team's stops will be included in the next report, covering traffic stops from 2016, according to the bureau.

Hispanic Man Claims Light Skin Kept Him From Getting Jobs, Sues Portland

*By Gordon R. Friedman
March 27, 2018*

A man who describes himself as a "light-skinned Hispanic male" has filed a lawsuit against the city of Portland, claiming Parks & Recreation denied him job opportunities because his skin isn't dark enough.

Frank Higuera says in the suit that he worked as a seasonal parks ranger for several years before the city eliminated his job during budget cuts. He wasn't rehired for several other parks jobs despite meeting the qualifications "because his skin color was too light," the suit says.

Higuera claims "applicants of darker skin color were selected ... because of the color of their skin and not because of their qualification."

Parks managers told him that they wanted to hire him but learned they couldn't because he was the "wrong color," according to the lawsuit, filed last Friday. A Parks & Recreation manager also told him that he would need to get a suntan to land a full-time city job, the suit says.

Higuera filed a complaint with the city human resources office and was told it would be investigated, but he never heard back, he says in the lawsuit.

Human resources officials declined to confirm that Higuera worked for the city and his filing of a discrimination complaint. A spokesman for Amanda Fritz, the city commissioner in charge of Parks & Recreation, said Fritz doesn't comment on personnel matters or pending lawsuits.

Higuera plans to ask a jury to award him \$530,000 for lost wages and emotional distress.

The legal action comes amid a citywide push for greater racial equity in city hiring and services. In its 61-page racial equity plan, Parks & Recreation lists as one of its goals "end disparities in city government hiring and promotions."

The Portland Tribune

Brace Yourself: More Change is Coming to City's Skyline

*By Jim Redden
March 27, 2018*

Three huge redevelopment projects are in the works that will transform much of downtown and the surrounding area in coming years, creating two new neighborhoods and pumping up a business district.

Many longtime Portlanders frequently seem shell shocked by the pace of change in the city. Large new apartment buildings and oversized infill houses are changing the character of existing neighborhoods, sparking protests from some homeowners and historic preservationists.

Even relative newcomers can be alarmed. They include a number of the residents in one tall Pearl District apartment building that opposed plans for another one before the city council. Although the council tentatively voted to block the project, its decision is not yet final.

For residents who have similar concerns, a panel that appeared before the Portland Business Alliance last Wednesday has some advice.

First, you ain't seen nothing yet. Three huge redevelopment projects are in the works that will transform much of downtown and the surrounding area in coming years, creating two new neighborhoods and pumping up a business district.

But second, the projects are being planned to avoid repeating the mistakes of the past, such as construction of the Memorial Coliseum in 1960 that wiped out much of Portland's thriving African-American community. In fact, the panelists promise, the project will help compensate for such mistakes by ensuring a certain level of affordable housing and job training for those struggling in today's economy."

"Portland is poised to embrace incredible growth and challenges. We have to leverage public-private partnership to achieve our goals, like equity, workforce training, diversity and affordability," said Brad Malsin, principal and founder of Beam Development and president of the Central Eastside Industrial Council.

The other two panelists were Gregg Kantor, chair of the Albina Vision Trust, and Kimberly Branam, executive director of Prosper Portland, formerly known as the Portland Development Commission. During the March 21 forum breakfast, "East Meets West: Portland's Changing Skyline," they focused on the following three projects"

formerly known as the Portland Development Commission discuss three big projects that will change the way Portland looks and operates, and pledged to undo mistakes of the past.

- The Broadway Corridor: The 32-acre site at the west end of the Broadway Bridge includes the U.S. Post Office site that Prosper Portland bought last year for \$88 million. It has the potential for nearly 4 million square feet of new business, residential and community development opportunities. A team will soon be chosen to craft a master plan for developing the area, which is projected to include around 2,400 new housing units — 30 percent of which will be affordable to households earning 30 percent or less of the area median income.

"The Broadway Corridor has the capacity to accommodate 10 percent of the employment growth we expect to see over the next 20 years," said Branam.

- The Albina Vision: A complete reworking is being planned for the Albina area along the east bank of the Willamette River that stretches from the east end of the Steel Bridge through the Rose Quarter area. Guided by the Albina Vision Trust, it hopes to compensate for previous urban renewal mistakes with such ambitious ideas as capping I-5 to reunite the neighborhood, creating a lively community plaza in the largely dead space between the Moda Center and the Memorial Coliseum, and redeveloping the Blanchard Building, where Portland Public Schools is now headquartered but would like to leave.

"We have the opportunity to create a brand-new neighborhood in Portland, and to right some of the wrongs from the past," said Kantor, a former chief executive officer at Northwest Natural.

- The Portland Innovation Quadrant: Stretching from Portland State University across the Willamette River to South Waterfront, the IQ — as its supporters call it — hopes to link the research-related organizations within it, including the Oregon Health & Sciences University, Portland Community College and the Oregon Museum of Science and Industry. The goal is to create an employment hub for a STEM (Science, Tech, Engineering and Math) workforce.

"The Tilikum Crossing is the intentional connection between east and west Portland that shows how the transportation system within the Innovation Quadrant will change. We have to get

people out of their cars. In five, 10, 15, 20 years, you won't even recognize the transportation system," said Malsin, who also serves on a board composed of employers and residents in and around the quadrant.

As the name of the panel puts it, these projects are poised to change Portland's skyline even more than what is already happening. The City Council has already voted to increase the maximum building heights in the Broadway Corridor to 250 feet on the southern portion and 400 feet on the northern portion. The Albina Vision Trust is working on plans to keep the new neighborhood it foresees more affordable than the Pearl District. And both OHSU and OMSI are already planning to redevelop the properties they own in the South Waterfront area.

But Branam insists Prosper Portland is not ignoring the rest of the city, especially East Portland, where residents have felt neglected for many years. She pointed to three "transformative project" supported by her agency in Lents, including a large new apartment building that recently opened and two others are currently under construction near it at Southeast 97th and Foster. And she said discussions are currently underway with residents and employers in the Rosewood neighborhood and Jade District for future projects.

In addition, Branam said that when Proposer Portland sells the land it owns in the Broadway Corridor, it can spend the profits outside the River District Urban Renewal Area where it is located. That is different than traditional urban renewal spending, where the funds remain within the areas where they are generated. But in this case, Branam says the profits could be investigated in East Portland.

Auditors Find Faults with City Gang Team

By Jim Redden

March 28, 2018

Police not showing effectiveness of traffic stops that disproportionately impact African-Americans to fight gang violence.

The effectiveness of Portland's Gang Enforcement Team was questioned in two audits released by the City Auditor's Office on Wednesday. One report said the Portland Police Bureau cannot document the results of traffic stops conducted by team officers that disproportionately affect the African-American community. The other said the team has not correctly managed all of its investigations and overstated its 2016 clearance rate.

"Research from other jurisdictions has shown that this kind of targeted patrol can be effective in reducing crime, but the practice can negatively affect relationships between the community and police, according to the Criminal Justice Policy Research Institute at Portland State University," the first audit said.

Mayor Ted Wheeler, who is in charge of the bureau, agrees that the collection and analysis of information related to the team's activities need to be improved. But he also defended much of their work, noting that gang violence is disproportionately committed by African-Americans — and that most victims are African-American, too.

"The skewed demographics of gang-related shootings demand a heightened understanding of the activities of the Gang Enforcement Team. Accordingly, the (team) must be able to justify its practices through accurate and thorough data collection," Wheeler wrote in a March 23 response

letter, which also noted that two people have been killed in suspected gang shootings so far this year.

Wheeler also said that an anti-racial profiling bill approved by the 2018 Oregon Legislature will soon require all law enforcement agencies in the state to conduct the additional data collections and analysis called for in the audit.

The Gang Enforcement Team is a specialty unit of the bureau that patrol streets and neighborhoods around the city. Its mission is to reduce criminal activity related to street gang violence. The team also investigates violent crimes with a gang connection. It had 28 sworn members as of December 2016 and costs about \$6 million to \$7 million a year to operate.

The audit on traffic stops is titled "The Police Bureau must show that traffic stops are effective." It found gang team officers frequently use traffic stops justified by minor traffic violations to interact with known or suspected gang members and associates in vehicles. The team recorded 1,300 such encounters in 2016, an average of about six encounters a shift. Most happened in neighborhoods where a disproportionate number of African-Americans live.

According to the audit, gang team officers said that such patrols effectively prevent shootings by resulting in the confiscation of illegal guns, the arrest of people who may be on the verge of violence, and by creating a visible police presence that acts as a disincentive to people who may otherwise engage in violent activity.

But the audit found the bureau cannot demonstrate the stops were effective because it did not require team officers to record the reasons why they made them and analyze the results, such as how many stops led to gun seizures or arrests. Officers also did not record how many stops led to contacts with people who were involved in gangs.

"Without this data, the Gang Enforcement Team cannot analyze or explain the overrepresentation of African Americans in its stops. The team also cannot show the effectiveness of its practices," the audit says.

The audit on investigations is titled "Lack of accountability and transparency reduced the community's trust in police." It found gang team investigations were not evenly distributed among the officers, and that the team did not accurately track its case clearance rate. Although the bureau told the City Council it had cleared 25 percent of its cases during the last fiscal year, the audit found the rate was actually 19 percent.

The audit also found that although the bureau did away with its longtime gang membership list last year, it continued to maintain a list of "most active gang members" not covered by any rules or revealed to the public.

"Because police officers potentially use the most active list to give more scrutiny to people they encounter — for example, making extra efforts to detain and search them — the bureau needs to be accountable and transparent to the public about how the list is created and used," the audit said.

In a March 20 response letter, Police Chief Danielle Outlaw thanked City Auditor Mary Hull Caballero for the audits and her recommendations, several of which she said were already being enacted. Her response included a four-point summary of how the bureau is responding or will respond to the recommendations.

Willamette Week

A Portland Apartment Complex Became a Refuge for Immigrants. Its New California Owner Is Offering Them Quick Cash to Get Out.

*By Rachel Monahan
March 28, 2018*

The effect of the buyout will be to scatter people from a place that had become a refuge from the terror and trauma of war zones.

For the past 18 months, the Portland City Council has gone to extraordinary lengths to protect people like Rath Sok.

Its efforts are not enough.

Sok, 62, fled Cambodia in 1977, after most of her family—including her parents, husband and son—was murdered by the Khmer Rouge.

She found safe haven in a Southeast Portland apartment complex. Sok and her second husband raised three sons in a two-bedroom apartment in the Creston-Kenilworth neighborhood.

But earlier this month, a letter arrived from her landlord. It offered Sok and her 81 neighbors thousands of dollars, if they agreed to vacate the complex.

"We are offering a voluntary program with options for early move-out," the letter said. "Rent increases will be applied to our updated units."

Sok feared that the offer of money was the first step in eviction from her \$704-a-month apartment.

"I got the letter, my God. I couldn't sleep. I couldn't eat," she says.

She decided to take the offer—\$5,200—and leave the complex, called Holgate Manor.

Rath Sok moved to Portland 32 years ago. She left the city this month after her landlord paid her to move. (Walker Stockly) Rath Sok moved to Portland 32 years ago. She left the city this month after her landlord paid her to move. (Walker Stockly)

The money the new owner is offering matches the moving costs landlords are required to pay in a no-cause eviction, under landmark tenant protections passed by the Portland City Council last year—plus an extra \$1,000 for leaving within a month.

The landlord, a California investor, is following the law—even going above and beyond what it requires.

If every tenant accepts the cash offer, it will cost the new owner, a company run by Fred Kleinbub, upward of a quarter-million dollars. But the market is strong enough for Kleinbub to absorb the \$300,000 expense to empty his building.

The buyout at Holgate Manor marks the largest reported effort in at least a year to remove tenants from a single building. It's the first big event to measure new city policies that seek to slow a wave of mass evictions.

To be sure, renters are better off today because of the city's efforts. But what's happening at Holgate Manor shows that Portland's renter protections are not enough to keep some of the city's most vulnerable residents in their homes.

The effect of Kleinbub's buyout will be to scatter people from a place that had become a refuge from the terror and trauma of war zones.

At least half the apartments at Holgate Manor are occupied by immigrants and refugees who speak little or no English. Many of them saw the notice and believed the offer was mandatory.

Thirteen have already accepted. Some hope to return; five know they won't.

Kleinbub's property management company has taken the unusual step of hiring one of the city's top public relations firms, Gallatin Public Affairs, to handle talking to tenants and the press.

"We are not clearing anyone out of anything," says Gallatin's Felicia Heaton. "We are using the city's relocation ordinance as a base for how we design this program to make the transition as easy as possible."

In 2016, WW reported on a spate of so-called "no-cause" evictions forcing low-income Portlanders out of the city. Before and after that story, the Portland City Council passed a series of unprecedented rules: a 90-day notice for rent increases and no-cause evictions, followed last year by an ordinance requiring landlords to pay moving expenses after many evictions and rent hikes.

Local officials also championed a \$258 million bond, passed by voters in November 2016, designed to build and preserve low-income units.

It's unclear how many landlords have changed their plans because of the new tenant protections. The bond money is mostly untapped. But a construction boom has eased upward pressure on rents. For the first time in five years, the average rent in Portland increased less than 5 percent last year: It rose only 2 percent.

But that relief doesn't help many Portlanders at the bottom of the economic ladder.

Portland Housing Bureau data shows that for lower-income residents, the city is getting even less affordable.

Four years ago, figures show, a family making \$39,720 a year could afford a two-bedroom apartment in half the neighborhoods in Portland. Last year, no neighborhood west of 82nd Avenue met that standard.

Consulting firm ECONorthwest estimates that in the past three years, 24,000 apartments in the metro area saw rent increases—to more than \$840 for one-bedroom, and \$1,009 for two-bedroom apartments—that moved them out of the reach of moderate-income families. "It's going to be fewer and fewer in Portland," says senior economist Mike Wilkerson.

"If you're being displaced from your existing place to live on a very limited income, it's very scary," says Laura Golino de Lovato, executive director of Northwest Pilot Project, a Portland nonprofit that helps find housing for very low-income seniors. "That's impossible in Portland unless you're seriously blessed with a landlord that's giving you a really, really good deal."

That renders the offer to pay moving costs all but meaningless: Recipients of the money would struggle to stay in Portland without public assistance.

Kam Mang, 70, sought refuge in the United States from the Khmer Rouge in Cambodia. He's moving in with his son for now.

"I looked around," he says. "Expensive."

Holgate Manor looks preserved in amber from an earlier time in Portland's history. The one- and two-story buildings, decorated with tan siding and brick trim, are clustered around U-shaped driveways. It's the kind of shabby, modest apartment complex that has defined the inner eastside for half a century.

But it's also unusual: For decades, its landlord ran it as a landing pad for immigrants and refugees.

Reuben Newsom bought the property more than 40 years ago. He was an evangelical Christian minister who served as superintendent of the Union Gospel Mission in Old Town.

"He wanted to keep rents low and help people," says his daughter, Carolyn Newsom. "He did the handyman stuff himself."

People arrived from Vietnam, Cambodia, Russia and Ukraine.

After Newsom suffered a stroke in the late 1990s, his children gradually took over running Holgate Manor.

As their father had done, they rarely refurbished apartments or raised rent substantially unless apartments turned over, the family and tenants recall.

The decision not to upgrade the apartments and instead wait for tenants to leave created an opportunity for an investor to swoop in with an upgrade and charge higher rents.

The Newsoms sold the property in January for \$12 million.

To earn a return on an investment of that size, Kleinbub will raise rents significantly.

The changes may not affect the relative newcomers to the complex, who live in recently refurbished apartments and pay higher rent. Instead, the immigrants who have lived there for decades—and whose units weren't improved—are taking the biggest hit.

Some Newsom family members say they were surprised to learn from their former tenants what was happening to them.

"We didn't realize that," says Carolyn Newsom. "We didn't think that was going to happen."

He's a patron of the arts in California, treasurer of the board for San Diego's Timken Museum, and a philanthropist—he and his wife, Angel, recently pledged \$1 million to a center that serves developmentally disabled adults.

A few years back, he tells WW, he decided to start investing in Portland real estate.

"We like the atmosphere," he says. "We fell in love with it. We're from California, where prices are absurd as far as an investor is concerned. We thought we'd try that."

He bought into a city where the rules are changing. Last year, the City Council, led by newly elected Mayor Ted Wheeler and Commissioner Chloe Eudaly, required landlords to pay moving costs after many evictions and rent hikes.

At Holgate Manor, Kleinbub's property management company, Princeton Property Management, tried something Portland has rarely seen before: using a cash offer across a whole building as an incentive to pry tenants out.

"They're trying to get us to self-evict, so they don't have to deal with any eviction problems," says tenant Sara Brassfield, 35.

Kleinbub's property management company even called the money they were offering tenants in their letter "relocation assistance," but made no mention of the fact that the city would require it anyway after an eviction or a significant rent hike.

The company says every tenant who is staying in the complex will get a notice next month of a 9.9 percent rent increase, the maximum that falls below the city's radar, to take effect in July.

Tenants who haven't moved out or moved into renovated units, where the rent could be more 50 percent higher, could be evicted.

There's no gentrifying city in America that's fixed the problem of pushing its less well off citizens to the margins or further.

"Nobody has been able to turn the curve on displacement," says Chris Schildt, senior associate of the Oakland policy nonprofit PolicyLink.

But Portland has moved slowly to secure vulnerable properties.

The city has so far purchased one property with the \$258 million bond passed in 2016 (it's working on four others). The campaign sold that bond to voters in part as a measure "to prevent displacement" and "allow residents to remain in their home."

But no one at the city, at least no one tracking the issue of housing the vulnerable, had an inkling that Holgate Manor was up for sale or might include the vulnerable. The building was never officially listed for sale.

"Preventing displacement is a top priority for us in how we invest bond resources," says Portland Housing Bureau interim director Shannon Callahan. "We have been actively looking at purchasing buildings with vulnerable tenants living in them. In this case, this was not a building we had any knowledge of being on the market."

So Kleinbub snapped up exactly the kind of property the city told voters it would use the bond proceeds to buy. The sale price of \$12 million equates to roughly \$150,000 per apartment. The city is currently subsidizing new construction of affordable housing that will cost as much as \$567,389 a unit to build.

Tenant advocates want the city to be doing more and doing it more quickly.

"The city has a responsibility to protect affordable housing with communities of vulnerable tenants," says Anthony Bencivengo, an organizer with Portland Tenants United. "They need to intervene in support of tenants fighting to keep their community together."

(Portland Tenants United has been urging the city to require that notices to tenants be written in multiple languages and include information on renters' rights, including relocation payments.)

One other possible fix would be to create a system to give Housing Bureau officials advance warning when a building is being sold.

Eudaly's office is working on a policy that could alert the city to the sale of vulnerable properties. It would give tenants the right to purchase any property up for sale. But so far, officials don't have a way to fund it.

"The city of Portland needs to be flexible enough to step in when we have vulnerable tenants who are about to become homeless," says Eudaly's policy director, Jamey Duhamel.

Outside her apartment, on a brisk evening last week, Rath Sok was packing her white Toyota, preparing to leave Portland. She's grateful to have found a place to move. It's in the unincorporated community of Aloha, in Washington County.

The buyout from her landlord will cover five months of rent at the new place, where the rent is \$950 a month. "I'm worried about paying the bills," she says.

Other residents will get to stay, but they also had their lives upended.

Nikolay Landya arrived at Holgate Manor with his wife, Anna, in 1993, after surviving six years in a Siberian gulag before fleeing Ukraine.

He found last month's letter alarming.

"He said he didn't want to move," Anna recalls, speaking through an interpreter. "He said, 'I'd rather die in my apartment.' And that's what happened."

On March 14, Nikolay Landya, 90, died. Anna, 91, buried him five days later in Lone Fir Cemetery on Southeast Stark Street.

Yet Anna may be able to stay in the complex, because she has a federal housing voucher.

As a former farm worker with no knowledge of English, she could still take the landlord's offer of money and get out. But advocates are working on helping her to stay.

"I understand the landlord needed to do the repairs and he needed us to move," she says, "but where would I move?"

One Question for Portland City Council Candidates: More Duplexes in Single-Family Neighborhoods?

*By Rachel Monahan
March 28, 2018*

The plan is bound to be a lightning rod in a city where most residential land is zoned for single-family homes.

City Hall is poised to take up a policy that could determine whether Portland's neighborhoods get more expensive or see denser development.

The plan is bound to be a lightning rod in a city where most residential land is zoned for single-family homes. A new draft of the Residential Infill Project, as it's called, is due out next week and will make its way to the City Council by fall.

WW asked five candidates for the open seat on the council to respond to one of the most controversial elements of the plan: whether duplexes should be allowed in single-family neighborhoods.

We asked: Do you support the city's plan to allow duplexes on single-family lots where now only one house is allowed? Why or why not?

Stuart Emmons

No, but he would test it in a few areas. "I have concerns about the potential loss of a lot of affordable housing with the Residential Infill Project: the negative effects of encouraging replacement of older, naturally affordable housing with new luxury housing, which will result in accelerated displacement and gentrification in Portland's lower-income neighborhoods."

Jo Ann Hardesty

Yes. "Housing must be available at all income levels in all neighborhoods in Portland regardless of your ZIP code. The city has a responsibility to equitably distribute housing resources that allow all income levels housing options in all neighborhoods."

Loretta Smith

Yes. "As a duplex owner, I appreciate it is an opportunity for my son to get affordable housing for his family and to provide multigenerational housing to our residents. We are in a housing crisis. Supporting the construction of duplexes is one way we add more housing to the community."

Andrea Valderrama

Yes, with some caveats. "As someone who currently lives in an eight-person multigenerational house, I recognize the need for more creative housing options of current housing stock. I believe we can also be respectful of the traditional nature of neighborhoods while adapting to the new realities of our city and people."

Felicia Williams

Yes. "We are in the midst of a housing crisis, and with the average household size continuing to decrease, we need to adjust our housing types and zoning to meet current and future demand."

The Portland Mercury

Audit Finds Portland's Gang Patrol Officers Disproportionately Target African Americans

*By Alex Zielinski
March 28, 2018*

It's likely that members of Portland's Gang Enforcement Team (GET) are racially profiling people they pull over for committing traffic violations—under the assumption they're involved in a gang. But, because the Portland Police Bureau hasn't kept any reliable data to confirm nor deny this assumption, the city auditor's office can't make a definitive claim.

Judging by their most recent audit, however, city investigators seem pretty damn sure.

Some background: Portland's GET officers are unlike regular patrol officers in that they rarely respond to calls and instead focus on sniffing out gang-related activity through a variety of tools. One of those techniques is pulling over people suspected of gang involvement for a minor traffic violation, like changing lanes without using a signal or making an illegal turn. The alleged petty crime becomes an officer's excuse to search that person's car for illegal weapons or drugs. While an imperfect system, this strategy is a lot more efficient than tracking down a search warrant to enter a suspected gang member's house.

According to the audit office's report, 59 percent of drivers that GET officers pull over are African American, while only 9 percent of Portland's population (of legal driving age) are African American. While PPB managers said this was because "most gang shootings in Portland [are] committed by African American gangs" and that these gangs mostly affected African American communities, PPB offered no data to back this up.

There's no way to know if the African American drivers GET officers stopped were at all associated with a gang, because the officers aren't required to report the results of a traffic stop. Did officers find a weapon used in a gang shootout from the driver's glove box or did they simply frighten an African American tourist putzing around North Portland? Who knows!

What we do know is that in 2016, only 2 percent of all GET traffic stops ended with an officer finding a weapon in that person's car.

On top of this, the audit finds that GET officers who pulled people over in 2016 only recorded that person's race 62 percent of the time. The other times were recorded as "mere conversations" (as opposed to arrests or warnings), a classification that doesn't require officers to jot down race. An increasing number of GET officers have been marking their stops as "mere conversations" in the past few years—and far more frequently than regular patrol officers. In 2016, 41 percent of all recorded traffic stops by GET officers were marked "mere conversations," compared to 12 percent of stops made by precinct patrol officers.

To put it simply, when tracking down suspected gang members, officers are far less eager to indicate the color of a suspect's skin—making it easier to avoid the racial profiling conversation altogether.

In the investigative process, city audit staff spoke with a variety of community members to get a better idea of how the African American community regards GET officers. Minh Dan Vuong, a senior management auditor with the city's office, told the Mercury that staff surveyed neighborhood groups and advocates involved in police accountability work to get a well-rounded perspective on how the African American community sees the GET.

"Community member said that the team was giving some people increased police attention, especially you African American men and people driving certain types of cars," reads the audit. "One community member summed it up: 'Black folks do not want to be stopped by the police.'"

Which echoes a recent survey on the PPB conducted by the city. Based on the 2016 survey, 78 percent of all African American participants "worried Portland police might stereotype them because of race." In the same survey, 59 percent of white respondents said they believed the Portland police were "trustworthy." Only 36 percent of African American respondents agreed.

While what little data PPB collected showed that their gang team primarily targets Portland's small African American population, the bureau didn't collect enough information to prove if this was the result of racial profiling. Which, to an outsider, could look somewhat intentional.

The office's recommendation to the PPB is an obvious one: Start collecting data.

In a short response to the auditor's report, Police Chief Danielle Outlaw writes that she agrees with the office's findings and is "willing to... pursue enhancements that benefit the Bureau's efforts in ensuring public safety."

According to Mayor Ted Wheeler, who oversees the PPB, the bureau will conduct its own review of how the GET collects and reviews traffic stop data by June 29—and then make needed changes. We'll be following.

The Daily Journal of Commerce

Green Roof Coming to Portland City Hall

By Liz Sias

March 27, 2018

Portland City Hall will soon have a green roof.

A proposal to install an eco-roof around the main roof's perimeter was approved by the Historic Landmarks Commission on Monday.

"I think it's really a great project," Commissioner Wendy Chung said. "I think it's really exciting to have an eco-roof right on City Hall that's visible to all these adjacent buildings, and hopefully it will inspire other building owners to do the same."

Also in the proposal by preservation design firm Architectural Resources Group (ARG) is the plan to reroof the building's smaller roofs, complete seismic pinning of decorative stone balusters to the roof structure, and replace two rooftop mechanical chillers.

Portland City Hall has been the seat of the city government since it was built in 1895. The building occupies a full block downtown between Jefferson and Madison streets and Fourth and Fifth avenues, and was added to the National Register of Historic Places in 1974.

"Portland's been really leading the charge on eco-roof technology over the last couple of decades," Mayer/Reed landscape architect Tim Strand said. "Not only are they aesthetically pleasing, they also perform a number of important benefits."

Those benefits include decreasing the amount of stormwater runoff, providing habitat, reducing the heat island effect, increasing building energy efficiency and helping extend the roofing membrane's life by up to two times.

The project also features a number of repairs and maintenance that are exempt from historic resource review, including cleaning and repairing exterior stone surfaces, repairing wood sash windows and rehabilitating two pairs of exterior doors.

The existing roof assembly, which was installed about 20 years ago, has begun to fail and allow moisture to seep inside, said Matthew Davis, an ARG principal. A limited amount of weight can be added to the roof, so the number of plant species able to be used also is limited.

Commission Vice Chairwoman Kristen Minor said she hopes the roof repairs and seismic pinning will allow the stone to last another hundred years.

"This is one of those examples where you want to hire somebody who really knows what they're doing, and I do have trust in this applicant," she said.

The eco-roof will be a layered cinder system assembled on site. The cinder and sedum planting will be five inches deep and be made up of a drain mat, a filter fabric and water retention layer, a growing medium, cinder mulch and plants.

The roof will feature a mix of 12 species of plants from one to six inches tall – including sedum cuttings and some bulbs native to the Pacific Northwest – that can withstand the varying amounts of direct sunlight, indirect light and shade from adjacent office towers.

The plantings will be predominantly green with purple hues in the spring, green and yellow in summer, rust-colored in the fall, and green and brown in winter, Strand said.

Commissioner Matthew Roman asked if the green roof will have to be maintained once it's installed. Strand said it will require some maintenance, but not as much as a decorative planting. Also, the team recommends that fertilizer not be used.

"I think the biggest obstacle to saving buildings is making sure that they remain usable, so I support this proposal," Roman said.

Overall, commissioners praised the eco-roof design and building repairs and voted in favor of the project.

"This is a perfect example of a historic building that everyone knows and loves," Minor said. "There are a lot of opportunities and vantage points from higher up to look down on this and really appreciate the change in seasons."

Portland Leaders Seeking Housing Ahead of Light-Rail Development

*By Chuck Slothower
March 27, 2018*

The city of Portland may order a housing development feasibility study along the route of a future MAX light-rail line in the southwest metro area.

City leaders are trying to get ahead of gentrification along the proposed route with a batch of affordable housing projects. On Wednesday, the City Council is scheduled to consider additional funding for Housing Development Center (HDC), a Portland nonprofit, to carry out the feasibility study.

HDC would evaluate up to eight sites along the Interstate 5 corridor in Southwest Portland, with one near each anticipated MAX station. The city has a minimum goal of 1,000 new affordable units along the light-rail corridor, and up to 2,300 if more funding can be secured.

The city expects at least two sites to host mixed-use buildings. Two other sites could accommodate as many as 500 units each of market-rate and affordable housing.

The Housing Bureau and Bureau of Planning and Sustainability would create a joint agreement for the plan, known as the Southwest Corridor Equitable Housing Strategy. The City Council item, if approved, would add \$68,419 to an existing contract HDC has with the Housing Bureau.

Planning for the affordable housing comes as Metro plans to establish a light-rail line from downtown Portland, through Tualatin and Tigard, to Bridgeport Village. Metro's Southwest Corridor Light Rail Advisory Committee has been meeting regularly to evaluate options for the MAX line. Route options would follow Barbur Boulevard and I-5 at certain points.

"Two major goals are to prevent residential and cultural displacement before the area becomes more desirable and developed," said Ryan Curren, project manager for the Bureau of Planning and Sustainability.

Portland officials have studied what happened along the yellow line route in North Portland when it opened in 2004. Land prices increased and residents were displaced. Some nearby homeowners were targets of predatory lending and real-estate practices, Curren said.

“The lesson there is get it early,” he said. “There’s been a lot of displacement around the yellow line – some of it would have happened just because of the location. What we could have done is have a little earlier action to secure land (for affordable housing).”

A draft environmental impact statement is being prepared to potentially answer remaining questions about the proposed routes.

A final decision on the route will be made in July, with the Portland and Tigard city councils adopting a joint plan. Metro’s council would follow.

Businesspeople near the proposed routes have begun to weigh in.

“Overall, I’m optimistic about increasing the amount of available transit in the area and creating more options,” said Chad Hastings, general manager of CenterCal Properties, which manages Bridgeport Village and other properties in the Portland area.

Hastings said he anticipates Bridgeport Village would have an end-of-the-line transit center similar to the one at Clackamas Town Center. Bridgeport Village already has park-and-ride facilities that could be used, he said.

The Portland Observer

City Council Election Face Off

By Beverly Corbell

March 27, 2018

Black voices candidates’ forum sparks debate

“I don’t think the mayor is prioritizing homelessness enough,” he said, despite a recent bond measure that will create 1,300 more apartments.

“There are 25,000 people who are in need of affordable housing,” Emmons said. “We see after four years hardly any change in homelessness and hardly any change in affordable housing,” he said. “I want to turbocharge our bond dollars and our public monies to get as much housing built as possible.”

Jo Ann Hardesty, a former state representative who stepped down from her role as president of the Portland NAACP to seek the city office, agrees.

“We have way too many people living on the streets, and our solution has been to criminalize them or warehouse them,” Hardesty said. “We need affordable housing in every neighborhood in the city of Portland.”

Felicia Williams, a history professor, said she has worked on a diversion program for the “hardcore homeless” and found after a survey that their greatest need was for medical care, followed by housing, substance abuse help and mental health treatment.

“So when we’re talking about homelessness and housing issues, we need to understand that it’s a public health issue instead of just a shelter issue,” Williams said. “If we’re going to be sending money from the city budget over to the county we need to make sure it’s going to go into a position or the resources necessary to break the cycle of homelessness.

“That’s our job: to protect our people,” she said.

Williams said she grew up poor in South Dakota, one of 15 kids, and joined the Air Force after high school where she spent five years managing crisis situations. She's also been a neighborhood association leader, "in the trenches," for years, she said.

"I've seen what the city does well and what the city does very badly," Williams said.

"I know how to reach consensus. I know how to get unanimous votes," she said. "There are things we need for fix. I want you to support me to get things done."

While Hardesty and Smith are both African American, Valderrama said she is a first-generation Peruvian American and is concerned about police racially profiling residents in her low-income neighborhood.

"I come home to an area where I don't see sidewalks and my own family is at risk of being profiled," she said, questioning what "equity lens" the city is using to keep itself accountable.

Emmons said one way that City Hall can help increase racial equity is to support training in the building trades in high schools.

"If we want to have more minority-owned businesses we need to support schools and support those projects," he said.

Hardesty said she was "very disappointed" with a lack of accomplishment from the city's Office of Equity and Human Rights, which she was on a panel to help form a few years ago.

"What has happened in the city of Portland is they hired 1.5 staff persons and made them the equity coordinator so that the director, the elected official, is no long accountable for eliminating racial inequitable outcomes that are systemic in the city of Portland," she said.

Hardesty also discussed gentrification and hate crimes.

She said gentrification was pushing black residents to the edges of the city who are then penalized with higher transportation costs. She said public transportation should be free.

"We'd rather criminalize people for not having \$2.50 rather than creating a world-class transit system that is made for the people who are most transit dependent," Hardesty said.

Valderrama said she's been the target of hate crimes, with white supremacists showing up at her school board meeting, receiving death threats, and having her car vandalized.

"The fear is real and something I personally experienced she said. "I've also heard testimony from parents who are scared of being deported, and who are afraid to get medical services."

Hardesty claims there are white supremacists in the Portland Police Bureau and that city leaders have been "deathly silent" about racism in the ranks.

"As an African American woman, we need leadership that's not going to pretend that we're not living this reality," she said.

Smith also criticized leaders for not doing more to protect undocumented residents.

"Let's stop telling people we're a sanctuary city. There's absolutely nothing sanctuary about the city of Portland and Multnomah County We have to fight this as a community and I would love to see us developing a new underground railroad," Smith said.

OPB

Audit: Data Fails to Prove Portland Gang Enforcement Patrols 'Effective'

*By Amelia Templeton
March 28, 2018*

In May 2015, two Portland police officers drove by the house of a known gang member.

They spotted a car they thought the man might be in, and they used minor traffic violations as a pretext to pull the car over.

The driver had failed to signal before a lane change and turn and had, according to the officers, obstructed the front windshield with an air freshener.

This incident is described as a typical stop by Portland's Gang Enforcement Team in a new investigation of the unit's work by Portland's city auditor.

The audit is the latest report to question whether policing tactics in some Portland neighborhoods lead to over-policing and racial profiling of African-Americans.

The audit reviewed the Gang Enforcement Team's work in 2015 and 2016 through interviews, ride-alongs and data analysis.

Auditors found that the police team regularly uses minor traffic violations as a pretext to stop and search people.

These pretext traffic stops are legal in Oregon. And in individual cases, the audit notes, the tactic can pay off for the team.

In the example above, a gang member was a passenger in the car officers stopped for failing to signal. Officers found a loaded gun in the glove box, and the passenger eventually pleaded guilty to unlawful possession of a firearm.

But the audit questions whether, on the whole, the traffic stops are a just and effective strategy.

The Gang Enforcement Team disproportionately stops African-Americans, and it lacks the data to show how frequently it pulls over actual gang members versus how often it unnecessarily stops other drivers.

“Without data to answer these questions, the Bureau can neither prove that its Gang Enforcement patrols are effective nor explain to the community what it is doing,” auditors wrote.

In one example, while auditors were observing police in November 2016, officers pulled over a car they believed was connected to gang violence.

The people inside the car were tourists.

Portland Mayor Ted Wheeler oversees the Police Bureau. In a letter responding to the audit, he praised the Gang Enforcement Team for its “relationship-based work,” and promised more scrutiny over their stop practices and data collection.

“The audit correctly notes that it is difficult to demonstrate to the community that the GET is not engaging in racial profiling if there is inadequate data collection and analysis of stops,” he wrote.

Portland Police Chief Danielle Outlaw will speak about the audit on OPB's "Think Out Loud" Wednesday, along with Portland Auditor Mary Hull Caballero and Urban League of Portland President and CEO Nkenge Harmon-Johnson.

Disproportionate Stops

The city's Gang Enforcement Team is a specialty unit made up of approximately 28 sworn members as of December 2016, according to the audit.

Since 2001, the Portland Police Bureau has required officers to collect demographic data on the people they stop to help identify and correct patterns of racial profiling.

But the audit found that the bureau hadn't recently analyzed the Gang Enforcement Team's stop data to look for possible racial bias, despite red flags.

The team reported 1,300 encounters in 2016, including approximately 800 traffic stops and 500 interactions officers classified as less serious "conversations." The Police Bureau has demographic data for the 800 traffic stops. Fifty-nine percent of these traffic stops were of African-Americans.

The audit compared the rate at which African-Americans were being stopped — that 59 percent figure — to benchmarks the Police Bureau itself has set to look for racial disparities in policing, for example, the percentage of African-American drivers in Portland.

It found that the Gang Enforcement Team stopped African-Americans at rates seven times higher than there were African-American drivers, and three times higher than there were African-American crime victims.

"Officers recognized that their stops largely affected African American people. To justify these disparities, officers said that criminal gangs affected African American communities and that they were protecting African American communities. Officers also said most gang shooting victims were African American," auditors wrote.

But auditors found that the team doesn't collect enough data to show whether or not it was effectively targeting suspected gang members.

Officers only documented the reasons they pulled someone over or stopped them in cases that triggered them to write a police report to document an arrest, the use of force or confiscated property.

Those cases amounted to just 10 percent of the 1,300 traffic stops and conversations reported by the team.

Auditors said, in some cases, gang enforcement officers targeted specific individuals and criminal suspects, but also had broad authority to pull people over.

"We observed officers using the appearance of the car, the driver's behavior, the location, and other factors in their decision-making," auditors wrote.

Without documenting their investigative reasons for pulling people over, the Gang Enforcement Team couldn't explain the racial disparities in their stops. They also couldn't show that they were targeting specific individuals or criminals and not African-Americans as a group.

"If police can explain their investigative reason for most interactions, it could show that Gang Enforcement officers were targeting people potentially involved in crime, and that race was not the sole reason for the stop," the auditors wrote.

Gaps In Data

The audit also questions whether officers on the Gang Enforcement Team have been accurately reporting all of their traffic and pedestrian stops.

The Police Bureau did not have complete data for the Gang Enforcement Team's 1,300 encounters from 2016. Officers only recorded demographic information for about 800 encounters that were classified as stops.

The other 500 encounters were classified by officers as "mere conversations."

In a "conversation," unlike a stop, a person is free to leave at any time.

Officers aren't required to collect data or demographic information on conversations that they have.

The approximately 500 "mere conversations" the gang enforcement team reported were generally captured by the police data system when a dispatcher started documenting a stop after an officer called in their location.

"We know of these 500 mere conversations because there was some action by officers and dispatch that started the data collection, and then officers canceled the stop data collection," said Minh Dan Vuong, a senior auditor who worked on the report.

The audit noted that Gang Enforcement Team officers are much more likely to classify their encounters as "mere conversations" than precinct officers.

The audit found evidence to suggest that some "mere conversations" recorded by the team might have in fact been more serious traffic stops.

It found 32 encounters in 2016 in which Gang Enforcement officers told dispatchers they'd arrested someone but recorded the interaction as a "mere conversation." In more than 400 encounters coded as "conversations," Gang Enforcement officers told dispatchers they'd issued a warning.

In a letter responding to the audit, the Police Bureau disagreed with the audit's interpretation of the conflicting dispatch and officer records around "mere conversations."

The Police Bureau suggested that dispatchers were incorrectly reporting interactions as stops, and that officers were clarifying that they hadn't detained anyone.

"PPB training currently establishes guidelines for officers to determine when a contact becomes a legally defined stop, versus a consensual encounter or conversation," bureau officials wrote.

The Police Bureau also noted that the nature of the Gang Enforcement Team's work meant they were expected to engage in more conversations than precinct officers.

Police Response

Police Chief Danielle Outlaw responded to the audit with a letter.

"During the past year, and as a result of this audit, we have made changes to our policies and procedures," she wrote. "However, there is still room for enhancements and I agree with the recommendations outlined within this report."

The Police Bureau said, going forward, it will include an analysis of the Gang Enforcement Team's data in its annual report on the demographics of police stops.

It also committed to develop a policy to require Gang Enforcement Team officers to document their reasons for making traffic stops as part of a review that will take place by June 29.

The auditor also published a second report on the Gang Enforcement Team's gang crime investigations.

Last year, in response to advocacy from community members, reporting by The Oregonian/OregonLive and the auditor's ongoing review of the Gang Enforcement Team, the Police Bureau announced it was ending the practice of designating people as gang members and purging its documents related to gang designations.