

## **The Oregonian**

# **Ex-Chief Larry O'Dea Should Lose Police Certification for 10 years, State Panel Says**

*By Maxine Bernstein  
May 17, 2018*

A state police policy committee Thursday reversed course, voting to recommend that former Portland Police Chief Larry O'Dea's lose his police certification for 10 years for dishonesty.

The committee also recommended a three-year suspension of O'Dea's certification for gross misconduct.

The vote followed the state Board of Public Safety Standards and Training's refusal last month to accept the committee's earlier recommendation to leave O'Dea's police certification alone.

The board's chair, Marion County Sheriff Jason Myers, in April convinced the board to send the matter back to the committee for further review, saying, "In good conscience, I cannot pass this forward."

That review came Thursday morning, with O'Dea and his lawyer Derek Ashton attending.

Washington County Sheriff Pat Garrett, Oregon State Police Superintendent Travis Hampton, Portland Assistant Chief Chris Davis and civilian member Patricia Patrick-Joling were among committee members who pushed for action against O'Dea's certification.

"It was pretty clear to me that there were some very serious things wrong," Patrick-Joling said. "It was just really clear to me there was a pattern of behavior, and it's not becoming of a member who's supposed to be a police chief."

The committee chair, Jeffrey Hering, a Tigard detective, and John Teague, Keizer police chief and vice chair of the committee, didn't support restricting O'Dea's certification.

In February, the committee voted 13-2 that O'Dea's handling of the off-duty shooting of his friend and an employee's discrimination complaint against a co-worker showed a "failure of leadership" but didn't warrant taking away his certification.

"To have the committee reverse itself today -- with no new evidence -- is beyond belief," Ashton said Thursday afternoon. "Some members seemed to focus on facts that supported their preconceived conclusion. The result appears manipulated. Going forward, persons should be hesitant to place much faith in this system."

O'Dea retired in June 2016 while he was under criminal investigation for shooting Robert Dempsey with his .22-caliber rifle during an off-duty camping trip in Harney County two months earlier. O'Dea and his friends were on lawn chairs, shooting at ground squirrels. 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 day of the shooting, O'Dea told a Harney County deputy that he thought Dempsey had shot himself. A subsequent administrative investigation by Portland's Independent Review office found that O'Dea delayed reporting the shooting and then lied to investigators about the shooting while he was still chief.

Committee members noted Thursday that O'Dea's rifle was pointed at his friend, which it should never have been.

A separate investigation by city human resources officials 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 lied about what he knew when they interviewed him.

"There was a pattern of behavior of just not wanting to deal with it, of sidestepping the issue," said Patrick-Joling, who has served as a Newport councilwoman. Her father is a former Los Angeles police officer and former Fresno County sheriff's deputy.

A grand jury indicted O'Dea on a negligent wounding charge, but a Harney County judge agreed to a civil compromise and dismissed the charge.

The committee's recommendation will now go before the full Board of Public Safety Standards and Training at its next meeting July 26.

## **Willamette Week**

### **Seven Portland City Bureaus Need New Chiefs After Wave of Resignations**

*By Rachel Monahan  
May 17, 2018*

More than half the city's bureaus have new leadership — or will soon.

The city of Portland is putting out the "help wanted" sign for a remarkable number of top management positions after three city bureau directors announced their resignations in just over a week.

The latest announcement: city budget director Andrew Scott, who is leaving to become the deputy chief operating officer of Metro after 15 years with the city.

He follows Parks & Recreation director Mike Abbaté, who was pushed out by City Commissioner Amanda Fritz, and transportation chief Leah Treat, who is leaving for a San Francisco-based consulting firm with offices in Portland.

There are now seven bureau director slots that need to be filled with permanent directors (though some have interim leadership). An eighth director at Bureau of Internal Business Services left after the bureau was eliminated.

Those bureaus that need a permanent director:

- Parks and Recreation
- Bureau of Transportation
- City Budget Office
- Bureau of Emergency Management
- Housing Bureau
- Bureau of Planning and Sustainability
- Office of Equity and Human Rights

That means that more than half the city's bureaus will experience turnover at the top over a less than two-year period.

In the last year and half, other bureaus and offices that have come under leadership, partly as a result of the election of Mayor Ted Wheeler and Commissioner Chloe Eudaly in November 2016:

- The Office of Neighborhood Involvement
- Bureau of Development Services
- Bureau of Emergency Communications
- Office of Government Relations
- Bureau of Human Resources
- Police Bureau
- Office of Management and Finance
- Bureau of Revenue and Financial Services

## **The Portland Mercury**

### **City Council Approves \$5 Billion Budget, Despite Cop Concerns**

*By Alex Zielinski  
May 16, 2018*

After months of contentious public debate and the constant reshuffling of bureau dollars, Portland City Council has unanimously voted to approve Mayor Ted Wheeler's \$5.11 billion city budget for 2018-2019.

The approved budget remains largely unchanged from the draft Wheeler unveiled last week, which includes \$31 million to fund the the Joint Office of Homeless Services, \$2 million to strengthen renter protections, and nearly \$6 million directed to hire 49 new sworn patrol officers.

Commissioners did approve a number of new amendments to the budget, like Commissioner Dan Saltzman's ask for \$60,000 in one-time funds to cover legal services to immigrant survivors of domestic violence. Commissioner Chloe Eudaly tacked on an amendment mandating that the Portland Police Bureau (PPB) submit monthly reports on how much overtime pay is being spent on officers—and compile all this data online for further analysis.

In doing so, Eudaly notes, this will guarantee that "future conversations around adding sworn [officer] positions are data-driven and informed by quantifiable impacts."

The vote was preceded by public testimony, featuring concerns we've heard raised throughout the budget cycle.

"The budget can be used to address housing, mental health, equity," said Amanda Aguilar Shank. "But instead what we're doing is looking at increasing the police budget. That breaks my heart. It makes me wonder what side you are on and who you represent in the City of Portland."

A number of people representing Portland's business community testified in support of the budget.

Commissioner Amanda Fritz brought up another criticized piece of the budget—cutting YouthPass funding. Fritz said that YouthPass, a program that gives Portland Public School (PPS) students a free TriMet bus pass to school (in lieu of the district using their own yellow bus fleet),

is meant to be funded by PPS, not the city. A number of meeting attendees gave that explanation a thumbs down.

Nearly every commissioner noted the flaws in the city's budget process, hinting at a future overhaul. No one disagreed.

"This a budget process based on austerity," said Juno Suarez, a representative from the Portland Democratic Socialists of America. "You force people to battle with each other over funds. Where is the vision for Portland? We don't ever get to fight for a vision of plenty because we're so busy saving the scraps."

## **The Portland Observer**

### **Strong Finish for Hardesty**

*By Danny Peterson*

*May 17, 2018*

#### **City Council race goes to a November runoff**

Results from Tuesday's May Primary Election means it's certain that Portland will seat its first black female City Council member next year as the two top candidates in the race, Jo Ann Hardesty, who captured 46 percent of the vote, and Loretta Smith, with the second highest total of 21 percent, will face off in the November General Election.

Both are African-Americans and advanced from a field of six candidates in the election competing for the seat held by incumbent City Commissioner Dan Saltzman who is stepping down when his term ends in January.

In other local races, Multnomah County Chair Deborah Kafoury secured her bid for re-election by capturing 71 percent of the vote, far above the more than 50 percent needed to avoid a runoff. New comer Susheela Jayapal, a former general counsel at Aidas America and longtime community volunteer, also won outright by capturing nearly 62 percent of the vote in the election for Multnomah County Commissioner for the seat being vacated by Smith.

Jayapal, who was born in India, was running against three others—construction business owner Sharon Maxwell, former restaurateur and veteran Bruce Broussard, and coffee shop owner Maria Garcia--all candidates of color. The victories by Kafoury and Jayapal's are unofficial until 20 days after election day.

Turnout in Multnomah County was only about 31 percent, which was lower than statewide results and a smaller percentage than the 2014 Primary Election in which turnout was almost 33 percent. The number of ballots counted, however, was greater -- both in Multnomah County and the state -- because there is a bigger population now than in 2014 and a larger number of registered voters, due in part to the motor voter registration system that went into effect in 2016.

In southeast Portland, former state Rep. Shemia Fagan (D-Clackamas) captured 62 percent of the vote in a successful campaign to unseat incumbent state Senator Rod Monroe in the Democratic Party. The race has had a sharp focus on housing issues. Monroe netted just above 20 percent of the vote while the third candidate, Somali-born immigrant rights activist Kayse Jama, came in third.

Monroe who has been in public office since 1976, drew scrutiny from fellow Democrats for being a landlord that opposed tenant protections, such as overturning the statewide ban on rent

control and outlawing “no-cause” evictions. He owns a 51-unit apartment complex in east Portland and has been sued by one of his tenants.

Both Fagan, a civil rights attorney, and Jama ran on a platform of giving cities the ability to impose rent control.

In statewide voting, gubernatorial candidate Knute Buehler of Bend won the Republican Party nomination and will face off against incumbent Gov. Kate Brown, a Democrat, in November.

## OPB

# My House Could Help Portland Meet Its Climate Goals, But It'll Cost Me

*By Cassandra Profita  
May 17, 2018*

When I opened my front door to Enhabit Home Energy Score Adviser Peter Kernan, I was actually feeling fairly confident about my home’s energy efficiency.

I bought the 1938 Tudor in the dead of winter five years ago and my first electric bill was \$250. To heat the home, I had to turn on the original electric wall heaters with their glowing, red-hot coils. The leaky, old single-pane windows failed to keep the snow out of my bedroom.

My first project as a homeowner was to get a home energy assessment and follow most of its recommendations. I spent \$20,000 on a super-efficient heat pump system, insulation in the attic and upstairs, new windows and weatherization.

I thought it was a job well done. And I was curious to see how all that work would be tallied in Portland’s new mandatory home energy scoring system.

Under the rules that kicked in this year, home energy scores are required for homeowners who want to put their house on the market. The accompanying report tells potential buyers about the home’s energy costs and potential savings. The idea is to nudge people to make their homes more energy efficient and cut the city’s contributions to climate change.

To tally my home energy score, Kernan took measurements of every nook and cranny of the house, prying into the cob-webbed corners of crawl spaces and knee walls and answering my questions along the way.

In the end, he told me, he’d plug all his measurements into a program that cranks out a number from 1 to 10, and that number will be my home energy score.

His first stop was the basement, where it didn’t take long for him to spot one of the earlier energy efficiency recommendations I had skipped: wall insulation.

Our homes contribute about 20 percent of all U.S. carbon emissions and while it isn’t necessarily hard to reduce those contributions, it can be a bit pricey.

My initial home energy assessment resulted in a long list of expensive recommendations, one of which was \$4,700 worth of wall insulation. The job involved prying some of the cedar planks off the outside of my house to fill the walls with cellulose.

With all the other work I was already paying for, that one didn't make the cut. So, I now have a house with very efficient heating, lots of insulation in the attic and upstairs, and none in the walls and basement.

"It's kind of like wearing a jacket and leaving it unzipped," Kernan said. "You're still losing heat even though you're producing it efficiently."

As we moved through the house I dug up receipts for details on my new windows, heating system and insulation. I moved furniture so Kernan could open up the wall of my closet and look around. Overall, he seemed encouraged by the work that had been done. But it was unclear how it would all factor into the final score.

"Overall, it has a lot going for it," he told me before crunching the numbers. "The insulation job at the top of the house was really good. Heat pumps are pretty efficient, but it's still an old Portland house."

### **Drum Roll ...**

In spite of all the energy efficiency improvements I had paid for, in the end Kernan's home energy scoring program gave my house a 2.

The average score in Portland is a 4. According to the report that came along with my score, my home's carbon footprint is 7 tons per year, and to reach its climate goals, Portland wants me to cut that footprint in half by 2030.

I was feeling pretty demoralized when I went to talk with Duane Fickeisin and Judy Welles about why they support the new home energy score mandate.

Like me, they did an energy assessment years ago and followed most of the recommendations. They got a new furnace and smart thermostat, added insulation and sealed air leaks.

Then got their home energy score. Their 1921 bungalow got a whopping 8.

Fickeisin said they opted to buy a more expensive and more efficient furnace.

"It probably won't pay for itself," he said, "but we did it because it will reduce the carbon."

Fickeisin and Welles say they're willing to spend more money to reduce their carbon footprint and help save the planet for their grandchildren. They hope the mandatory reports will inspire others to do the same.

"If you know something about what your house is doing, you have the choice of doing something about it," Welles said. "I imagine when our grandchildren are teenagers and they look at us and say why didn't you do something I'll be able to look right back at them and say I did everything I possibly could."

### **A Flawed And Largely Ignored Report?**

But most home buyers don't shop with climate change in mind, according to real estate broker Nick Krautter.

"I would say it probably hasn't had any effect on the work we do," he said.

Krautter opposes the energy score mandate, as does the entire Portland Association of Metropolitan Realtors. He said the requirement hasn't caused delays in home sales as he had feared. But most of his buyers don't even seem to look at the score.

"Other things like price, school districts, proximity to work, those things are all more front-and-center in a buyer's decision than if it is a 2 or an 8 energy score," Krautter said.

Real estate broker Mark Wheeler said he's found the measurements and assumptions that go into the scoring process are flawed, and the money for the mandatory report would be better spent on actual home improvements.

"I am all for actual energy efficiency and sustainability actions," he said. "However, this mandatory program will not get us to the city's climate and carbon goals, and it is harming citizens. It is a program of misdirected money, green washing and ineffectiveness."

## **Update**

My initial home energy score report from several years back was only somewhat useful to me, given that the one recommendation it offered wasn't to install wall insulation but to seal the ducting on my new heating system. But Kernan admitted he couldn't tell if those ducts were sealed because they were covered in insulation.

So, my next move was unclear.

Kernan also noted that he might gather more information on my home's energy efficiency from the report that was done in my original home energy assessment, which included testing that wasn't part of the home energy scoring process. Indeed, when he checked that report, he found additional information that boosted my score to a 3.

But my updated report only told me how to get my house to a 4. It didn't tell me how to cut my carbon footprint in half to meet the city's 2030 climate goals. It only recommended one project — sealing ducts — because that was the only project that would pay itself back in 10 years or less.

According to the city of Portland, that feature is built into the U.S. Department of Energy's home energy scoring system, which is the foundation for the city's program.

My report cost \$140. That wouldn't go very far toward the \$4,700 cost of putting in wall insulation, but according to Kernan, that project would bump me up to an energy score of 7, and cut my home's carbon footprint by a quarter.

So, now I have a decision to make: How much am I'm willing to spend and how much carbon pollution do I want to be responsible for?