

## **The Oregonian**

### **Portland City Hall Evacuated Due to Fire**

*By Gordon Friedman*

*July 6, 2018*

Firefighters briefly evacuated Portland City Hall because of a small fire at the building Friday.

A wooden window sill on the building's north end caught fire and spewed smokey air into offices, a Portland Fire & Rescue first responder said.

The damage was minor. But city workers and residents -- including a group of activists waiting to turn in initiative petition signatures -- were forced to wait for the all-clear along Terry Schrunk Plaza, across the street from the 19th century City Hall.

Friday's small fire is a far cry from the worst the government headquarters building has endured. A bomb exploded under the building's portico in 1970, causing extensive damage. No one was ever apprehended for the bombing.

## **The Portland Tribune**

### **Feds Come to Rescue of Portland Levee System**

*By Steve Law*

*July 6, 2018*

Twenty-seven-mile system for protecting Portland from Columbia River floods will get financial and technical help from the U.S. Army Corps of Engineers.

In a major boost that could bring considerable federal resources this way, the U.S. Army Corps of Engineers on Thursday designated the Portland levee flood-control system for a New Start Feasibility Study.

The federal agency will contribute \$3 million over the next three years to study the 27-mile levee system that protects the area from Columbia River flooding, said Colin Rowan, program manager for Levee Ready Columbia.

The Army Corps study will result in recommended projects to modernize the system, Rowan said. Then the agency could petition Congress to fund some of the recommended improvements.

Usually the feds supply more than half the costs for the recommended projects that arise from the New Start program, often 65 percent to 80 percent of the costs, Rowan said.

"This is a reinfusion of federal dollars to continue to support the levees," he said — probably the biggest federal contribution to the levee system since the 1930s and 1940s.

After Hurricane Katrina and Hurricane Sandy, the federal government raised the bar on certification requirements for flood-control systems, which are needed to qualify for federal flood insurance.

That prompted the formation four years ago of Levee Ready Columbia, a consortium of local, regional and state governments as well as business and environmental groups, to work together to bolster the system. Levee Ready Columbia first applied for the New Start program in 2016.

Portland's levee system is largely the responsibility of four small levee districts that date back a century or so, funded by property owners within the Columbia River floodplain.

It's generally acknowledged that the job of fending off Columbia River flood waters has grown too big for those small districts, especially when one considers the regional facilities protected by the levees, such as Portland International Airport and the Oregon Air National Guard base. The base houses fighter jets responsible for defending the entire West Coast.

Levee Ready Columbia has been working on proposals to expand the funding base to maintain, improve and recertify the levee system. While federal money could make the financial load lighter on local taxpayers, the project plans to continue pushing a new governance structure for the levee system, Rowan said.

"We still need to keep our foot on the gas on that," he said. Local matching funds will be required to be paired with federal money. In addition, local money is necessary for ongoing upkeep of the system.

The latest idea is to create a water improvement district for all of Multnomah County that falls within the urban growth boundary. Property owners in that area would be taxed to share the burden with property owners in the floodplain, who would pay a higher amount.

Marine Drive sits atop the longest and most important of the levees in the system. Perhaps the biggest improvement project facing the region is replacing the railroad embankment that serves double-duty as a north-south levee — the same one whose failure in 1948 led to the disastrous Vanport Flood.

## **Willamette Week**

### **Federal Judge Says Portland Commissioner Chloe Eudaly Can Block Activist on Facebook**

*By Frankie Benitez*

*July 8, 2018*

**The judge also ruled the First Amendment does not give people the right to make city commissioners listen to them.**

A federal judge has dismissed a lawsuit against City Commissioner Chloe Eudaly for blocking a local activist from her private Facebook page, declining to turn over the pages in response to a public records request, and allegedly bullying the activist.

The judge ruled June 29 that Eudaly can say what she wants on her private Facebook page, and that her comments were not threatening enough to prevent activist Mimi German from speaking.

Judge Michael W. Mosman also ruled the First Amendment does not give people the right to make city commissioners listen to them. "Ms. German's right to petition the City Council does not include the right that Commissioner Eudaly listen [to], or even be present for, Ms. German's testimony," the judge wrote.

A Eudaly staffer tells WW the lawsuit was frivolous. "All signs point to this being an entirely frivolous suit and a complete waste of staff and public dollars," says Marshall Runkel, chief of staff to Eudaly.

But Mosman left open the door for German to refile the suit if she can provide evidence Eudaly's Facebook account was used to conduct public business.

German plans on filing again. "I see it as positive," she says.

## **The Portland Mercury**

### **Why Does the City Keep Letting Patriot Prayer Hold Rallies? It Doesn't Have a Choice**

*By Kelly Kenoyer*

*July 6, 2018*

On June 30, a rally organized by Washington alt-right group Patriot Prayer turned into a riot in which demonstrators and Antifa counter-protesters beat each other into a pulp, leaving one man with a fractured skull. Portland police expected the violence, issuing a public statement ahead of time declaring that there would be a significant police presence "due to past threats and acts of violence between these different groups, both locally and nationally."

And yet, both the city of Portland and the federal government issued permits to Patriot Prayer to hold its demonstration—Portland for the street march and the feds for the rally in the federally owned Terry D. Schunk Plaza. When the rally became violent, the Portland Police Bureau declared it a riot and revoked the city's permit.

This decision has left many asking: Why do these government entities continue to sanction Patriot Prayer's violence?

After all, this isn't the first (or second, or third, or fourth) time a Patriot Prayer event has turned violent. And with each rally, Patriot Prayer's rationale has become less and less logical. The purpose of the Saturday, June 30 event—which brought in people from across the country, according to the Facebook event description—was to "promote freedom and courage" in the face of Antifa. It was a direct response to the violence that took place the last time the two groups met in Portland on June 3.

But, when it comes to the city or feds blocking permits to groups known to commit violent acts, the Constitution gets in the way. Asked why they've allowed Patriot Prayer to hold numerous rallies in downtown streets, the city points to a 1996 ruling from the Ninth Circuit Court of Appeals—a case called *Collins v. Jordan*.

"We're not allowed to make a decision on a permit based on past experience with the group in situations like this," says Dylan Rivera, the spokesperson for the Portland Bureau of Transportation, which issued last week's permit. "The guidance we've received since the *Collins v. Jordan* case is that there can't be any blanket bans on demonstrations."

*Collins v. Jordan* was a landmark First Amendment case. The decision followed the 1992 acquittal of Los Angeles police officers who brutally beat Rodney King, spurring protests—some peaceful, some not—across major West Coast cities, including San Francisco. The day after those protests began, May 1, 1992, the mayor of San Francisco ordered the police to break up the local demonstrations.

But protesters who had organized an evening march refused to disperse, encouraging police to round up large groups of people and arrest them. That legally questionable tactic is called "kettling."

In *Collins v. Jordan*, the federal court determined that the mayor's order was an infringement on the protesters' First Amendment rights.

"The law is clear that First Amendment activity may not be banned simply because prior similar activity led to or involved instances of violence... Demonstrations can be expected when the government acts in highly controversial ways, or other events occur that excite or arouse the passions of the citizenry.... Some of these demonstrations may become violent," the decision reads.

Of course, police will still arrest criminals if they're seen in public, even if it's at a rally.

So there you have it: Patriot Prayer is allowed to set up shop in downtown Portland, even though they have caused violence in the past and will probably continue to do so. Legal precedent requires it.