

## **The Oregonian**

### **Mayor: Outside Investigator May Review Portland Police Crowd Control Tactics**

*By Gordon Friedman  
August 15, 2018*

The City of Portland may hire an outside investigator to review crowd control tactics used by police at recent rallies, Mayor Ted Wheeler said Wednesday.

Wheeler announced the possible outside investigation in response to a resident who addressed the City Council to complain about Portland police officers' use of flash bang grenades against protesters.

The so-called "less-lethal" devices seriously injured several counter-demonstrators at a recent rally organized by right-wing demonstrators from Washington State. They and fellow protesters have charged that police used unnecessary force against them and fired flash bangs unprovoked.

Wheeler, who as police commissioner is ultimately responsible for all city law enforcement, said Police Bureau officers face a tough task when directed to keep agitated protesters safe. He said Chief Danielle Outlaw also took it upon herself to launch and support a bureau investigation of its own tactics and suspend use of some less-lethal devices in the meantime.

### **Portland Pledges \$17.7 Million for Division Street High-Capacity Bus Line**

*By Andrew Theen  
August 15, 2018*

Portland will contribute \$17.7 million to TriMet's proposed project to add high-capacity express bus service between downtown and Gresham.

The City Council unanimously supported the plan to fund a share of the \$175 million transit project. TriMet hopes to receive \$87.3 million in federal funds for new transit stations and buses to serve a 15-mile stretch of Division Street.

The transit agency hopes to begin building the new high-capacity bus service in late 2019 and open the transit line by 2022.

The project calls for new 60-foot articulated buses to carry more riders, add more buses to run every 15 minutes or more frequently during rush hour, and give buses signal priority at traffic lights. Most of the project costs come from new buses or passenger platforms along the route.

Portland will also begin work on filling sidewalk gaps on a three-mile stretch of outer Division Street, which is one of the most dangerous roads in the city.

The city construction project includes 13 new signalized pedestrian crossings, more than 57 new street lights and nearly five miles of protected bike lanes.

In a statement, Portland Bureau of Transportation Interim Director Chris Warner said the transit project fits into a larger suite of investments in east Portland funded by a voter-approved gas tax and the 2017 state transportation package.

"East Portland doesn't have the public transit service, bike routes and sidewalks that many Portlanders take for granted," Warner said in a statement. "We have been working to change that, and the City Council's commitment to the Division Transit Project marks a key milestone that will improve public transit. The Division Transit Project and our upcoming safety project on Division will make it safer for thousands of people in East Portland to bike, walk and take public transit to work, school and shopping destinations."

According to TriMet estimates, the transit project will reduce travel times by 15 to 20 percent.

The majority of the city funds, \$15.7 million, will come from fees charged to developers for new construction projects.

## **Portland Police Chief: I Told Mayor Ted Wheeler Officers Would Disband ICE Protest**

*By Gordon Friedman  
August 15, 2018*

Portland Police Chief Danielle Outlaw said Tuesday that it was her call, not Mayor Ted Wheeler's, that officers sweep away protesters camped outside the federal immigration office, a move opposite the stance Wheeler took when protests began.

"I went to the mayor and said, 'Look this is not sustainable ... It's out of control.' He was extremely supportive and said OK," Outlaw told talk radio's Lars Larson in a 14-minute interview. "I wasn't asking for permission to go out and clear this camp. I said, 'This is what is going to happen and here is how it's going to happen,' and again I got the support to do that."

Outlaw's outspoken comments to Larson, first reported by the Portland Tribune, also addressed the violent police response to dueling protests in downtown Portland earlier this month. In strong words, she defended commanders' decision to fire flash-bang grenades at people counter-demonstrating against a right-wing rally shortly after they were warned to disperse.

Wheeler had announced he would not have city police break up the immigration protest at the federal agency's Southwest Portland field office, saying he disagreed vehemently with the agency's practice of separating children from their parents and didn't want to give its employees "a bailout."

In her interview, Outlaw explained the rationale behind Wheeler's stance: the federal agency has its own police force and resources and could use those, rather than rely on the city's force, to keep its field office safe. She suggested she initially agreed with those plans.

## **Portland Firefighters' Discipline May Be Erased Under New Rule**

*By Gordon Friedman  
August 16, 2018*

Portland firefighters who are disciplined at work may now have bad conduct deleted from their personnel files after a year or more under an ordinance adopted Wednesday by the City Council.

Fire Chief Mike Myers said his rationale for the policy change is that nearly every reprimand he hands down, no matter how minor, is challenged by the union through the official grievance and arbitration process.

Myers told the City Council that arbitrations are a “waste of my time” and “bog down organizations and I have a lot to do.”

Agreeing to purge discipline records after one year or, for more serious misconduct, three years for firefighters who show no subsequent misconduct should lessen the number of arbitrations, he indicated. What conduct would be eligible to disappear from personnel files under the new rule was not specified.

In addition to changing discipline procedures, the city also agreed to settle grievances brought by six firefighters. The Fire Bureau would not tell The Oregonian/OregonLive the nature of the grievances or the names of the firefighters involved.

As a result of the settlement, four of the employees will have punishments reduced and the firefighters’ union will withdraw the grievances.

Myers suggested that the union has agreed that if evidence of discipline can be removed after one or three years, its members won't grieve the chief's actions on minor discipline.

Alan Ferschweiler, the union president, said that is true except for one key point: The union agreed to withdraw the six firefighters’ grievances in exchange for the discipline-scrubbing process remaining “in perpetuity.”

The Council at the last minute adopted an amendment brought by Commissioner Amanda Fritz to make the new discipline procedures valid only through 2019, when the labor agreement between the city and firefighters expires.

“What was adopted today was not agreed upon,” Ferschweiler said.

Tim Crail, Fritz’s chief of staff, said he and the commissioner were assured by the Fire Bureau that Ferschweiler was aware of and OK with the discipline change being for the current contract only. Crail said he and Fritz are “surprised” at the union’s displeasure.

Myers, the fire chief, said Wednesday all sides had vetted the amendment and were “comfortable with that proposal.”

The practice of purging discipline records from employee files at a union’s insistence has proven controversial at another Portland public agency, Portland Public Schools. Revelations by The Oregonian/OregonLive that records of misconduct complaints against teachers are purged when the educator changes schools or gets a new principal have spurred calls to ban the practice.

# The Portland Tribune

## Sources: Neighbors Upset Over Lack of Park Cleanup

By Jim Redden  
August 15, 2018

**Plus, money pours in for Metro affordable housing bond measure and protester complaints about police are common.**

Portland officials say city contractors have responded to 4,150 complaints about homeless camps outside downtown since the beginning of the year, removing 218 tons of trash from them, including 10,835 needles.

That's not good enough for some Montavilla residents, according to a Monday story on KOIN News 6, a news partner of the Portland Tribune. Reporter Jennifer Dowling said residents have been complaining to the city about illegal camping and garbage in a neighborhood park for months. Last Sunday, volunteers pulled a truckload of trash out of the park, including human waste and many needles.

"I feel like we're just enabling. I feel like we've gone too far assuming that everybody needs our compassion," said neighbor Angela Todd, one of the cleanup organizers.

### Money pours in for Metro measure

The campaign committee supporting Metro's \$653.8 million affordable housing bond has reported raising over \$215,000, so far. Major contributions to Yes for Affordable Housing include \$5,000 from the Portland Business Alliance, \$6,666 from affordable housing developer Pedcor Companies of Indiana, and up to \$2,500 each from Habitat for Humanity, developer Melvin Mark and Charles Swindells.

The opponents are only reporting a little over \$16,000, so far. Major contributions to Affordable Housing for WHO? include \$6,500 from Washington County Chair Andy Duyck's political action committee and \$1,000 or more from several developers, including H&J Properties and Cedar Manor LLC.

Measure 26-199 will appear on the November general election ballot. It would fund an estimated 2,400 affordable housing units in the region. A proposed amendment to the Oregon Constitution, Measure 102, would increase the number to a projected 3,900 units if it passes.

### Protester complaints about police common

Portland police have been repeatedly accused of siding with white nationalists by counter-demonstrators at dueling protests. The most recent criticism came after police deployed less-than-lethal force against anti-racist protesters that resulted in several injuries on Aug. 4 along Southwest Naito Parkway.

As protests in other cities have shown, such criticisms are not unusual. Anti-racist protesters accused police of protecting white nationalists during clashes that turned deadly in Charlottesville, Virginia, on Aug. 11 and 12, 2017. Anti-racists continued criticizing the police on the one-year anniversary of the riot last Saturday, when no one else showed up for them to protest.

And lawyers representing counter-protesters arrested at a white nationalist rally that turned violent in Sacramento, California, in a June 2016 are accusing police of siding with neo-Nazis. The lawyers say court documents show the officers colluded with rally organizers to protect their

identities while targeting anti-racist activists, including a Berkeley teacher charged with assault and rioting.

## **Council Approves \$17.7 Million for Division Transit Project**

*By Jim Redden  
August 16, 2018*

### **Federal government has still not agreed to pay half of project to create first bus rapid transit line in region.**

The City Council approved \$17.7 million for the Division Transit Project being planned by TriMet as the region's first bus rapid transit line.

TriMet is expecting half the funding for the \$175 million to come from a Federal Transit Administration Small Starts grant. Although the FTA did not fund the project in its current budget, TriMet is working with project partners to secure the funding in the next budget.

If funding is approved, construction is expected to start in 2019 and be completed in 2022. The funding approved by the council on Aug. 15 includes \$2 million in-kind services and \$15.7 million in Transportation System Development Charges, one-time fees that developers pay to help the transportation system accommodate population and job growth.

The 15-mile project is intended to bring high-capacity bus service to Southeast Division Street between downtown Portland and Gresham, resulting in easier, faster and more reliable trips. It is expected to make bus trips 15 to 20 percent faster on a route that already serves more than 10,000 bus riders every weekday.

The project was originally planned by Metro, the elected regional government responsible for transportation planning, and is now being administered by TriMet, the regional transit system that will own and operate it.

Highlights include:

- 60-foot articulated buses with 60 percent more room for riders than 40-foot standard buses
- Three-door boarding for quicker stops at 42 stations
- Transit signal priority: Traffic signals prioritize bus travel, getting riders to destinations faster
- Estimated reduction in travel times by 15 to 20 percent, with buses running every 15 minutes during the day, and even more often during rush hour
- Bus stops expanded into stations, with amenities such as shelters

The Portland Bureau of Transportation is leading the city's participation in the regional project. PBOT is working with the Portland Housing Bureau and Prosper Portland, formerly known as the Portland Development Commission, to ensure affordable housing is developed and local businesses are supported as the line is planned and built.

The project had originally included a portion on inner Southeast Powell Boulevard, but it proved unfeasible.

To learn more, visit [trimet.org/division](http://trimet.org/division).

# Police Chief Says Clearing ICE Protest Camp Was Her Idea

*By Zane Sparling*  
*August 15, 2018*

Portland Police Chief Danielle Outlaw says it was her initiative to clear the protest camp that surrounded an Immigration and Customs Enforcement office in Portland.

The Occupy ICE camp located off Southwest Macadam Avenue lasted just over five weeks before it was swept clean by local law enforcement in late July.

"I went to the mayor and said, 'Look, this isn't sustainable, not just resource wise, it's just out of control for many reasons.' He was extremely supportive and said okay," she recalled in a radio interview.

"I wasn't asking for permission to go out and clear this camp. I said, 'This is what's going to happen and here's how it's going to happen.' And again, I got the support to do that,"

Outlaw's comments — broadcast on The Lars Larson Show on Tuesday, Aug. 14 — mark her 10th month as Portland's top law enforcement official.

She was hand-picked for the job by Mayor Ted Wheeler, who oversees the police bureau. She previously spent 19 years with the Oakland Police Department, rising up the ranks to deputy chief.

Outlaw dodged several questions during the radio interview — declining to say if the black-clad anti-fascists known as Antifa qualify as a "terrorist" organization.

But she did have some choice words about the media coverage of the Antifa and Patriot Prayer rally on Aug. 4, saying she was surprised that journalists later asked her so many questions about the riot control devices that were used exclusively on counter protesters.

In her memory, one of the reporters at a press conference told her: "Yeah, I was there, we all heard the dispersal orders but nobody listens to that."

That left Outlaw with a question of her own:

"Why didn't you obey the dispersal order? There's been no focus on that, but there's been focus on our tactics. I tell people 'We hold ourselves accountable.' If we did something wrong, we own it. I own it."

Outlaw also declined to reveal if she'll vote yes or no on an upcoming ballot measure that would repeal Oregon's "sanctuary" immigration laws.

"I have to focus our attention on violent crime, quality-of-life crimes, not someone's mere presence," she explained. "Presence doesn't bother me."

You can listen to the full 14-minute radio interview as a podcast [here](#).

## Willamette Week

# Portland Police Chief Says She Decided to Sweep Occupy ICE Camp, With or Without the Mayor's Support

*By Katie Shepherd  
August 15, 2018*

**"I wasn't asking for permission to go out and clear this camp," Chief Danielle Outlaw said.**

Portland police chief Danielle Outlaw says she told the mayor Portland police would clear the protest camp surrounding a federal immigration office, with or without his support.

In a very frank radio interview first noted by the Portland Tribune, Outlaw says she approached Mayor Ted Wheeler and told him she intended to use her bureau's resources to put an end to the protest outside U.S. Immigration and Customs Enforcement's headquarters.

"I went to the mayor and said, 'Look, this isn't sustainable, not just resource wise, it's just out of control for many reasons,'" she told talk-radio host Lars Larson on Tuesday. "I wasn't asking for permission to go out and clear this camp. I said, 'This is what's going to happen and here's how it's going to happen.'"

Outlaw said that she and Wheeler were in agreement that the camp needed sweeping.

But the police chief's claims seem to contrast with Wheeler's earlier support for the aims of the Occupy ICE protest camp, which lasted more than a month and temporarily halted U.S. Immigration Customs and Enforcement operations at the federal building in Southwest Portland. The mayor said he did not want Portland police to get involved with the conflict between federal officials and protesters.

"I want to be very clear I do not want the [Portland police] to be engaged or sucked into a conflict," the mayor tweeted, "particularly from a federal agency that I believe is on the wrong track, that has not fully lived American values of inclusion and is also an agency where the former head suggested that people who lead cities that are sanctuary cities like this one should be arrested."

At a press conference several weeks after the camp started, Wheeler reiterated his opposition to federal immigration policies, but said he had doubts about whether the camp should continue.

"Over time there were other problems that were clearly identified, it was a fluid situation," Wheeler said. "We knew that that the encampment was not sustainable."

This is not the first time Outlaw's public comments regarding ICE have raised questions about whether she and the mayor are on the same page when it comes to the federal immigration agency.

Last July, while Outlaw still served as deputy police chief in Oakland, Calif., she defended an agreement between the local police and ICE, amid Oakland City Council efforts to end the relationship between the two law enforcement agencies.

WW reported on her comments at an Oakland City Council meeting where she defended the partnership, saying Oakland police worked with ICE agents on "human traffic investigations, gang investigations, and we work with them as well during our cease-fire operations which focuses on our most violent criminals here in the city of Oakland."

Outlaw and the mayor's office denied that the comments made in California had any bearing on Portland's policies.

Her new comments declaring that it was her decision to break up the Occupy ICE protest camp again raise questions about whether she and Wheeler are on the same page on immigration policy.

Larson asked the police chief if she would vote in favor of a ballot measure to repeal Oregon's 31-year-old sanctuary state law, but Outlaw demurred. She told Larson she was not a politician and did not want to weigh in on politics.

However, Outlaw did shoot down Larson's suggestion that Portland police should concern themselves with enforcing immigration violations—not because she supports the city and state's sanctuary laws, but because the police bureau doesn't have the resources to do the feds' jobs for them.

"I don't choose to prioritize my time or my resources in that way," she said. "Because of the resources we do have and what we don't have, I have to focus our efforts on violent crimes and quality of life crimes."

The Portland police and mayor have come under fire for their treatment of the Occupy ICE protest camp. The national ICE union sent Wheeler a cease and desist letter last month, demanding that he reverse his policy that allegedly asks police to ignore calls for service made by federal agents and employees. Wheeler says no such policy exists.

## **Portland Police Chief Says Protesters Went Off to “Whine And Complain” Last Week Because Officers “Kicked Your Butt”**

*By Katie Shepherd  
August 15, 2018*

**At least two protesters went to the hospital with serious injuries caused by flash-bang grenades police shot into the crowd.**

Portland Police Chief Danielle Outlaw is not satisfied with how reporters have covered the heavy-handed police response to antifascist counterprotesters at an Aug. 4 rally.

Today, she used a vivid analogy to make her point.

She told conservative talk-radio host Lars Larson she thought the protesters were acting like children who lost a schoolyard fight and had gone off to "whine and complain" after police fired flash-bang grenades, rubber bullets and pepper spray into a crowd of demonstrators. (At least two people were sent to the hospital with serious injuries after being hit directly with stun grenades launched by police, and many more have reported being hurt.)

"I tell you, 'Meet me after school at 3:00. Right? We're gonna fight'," Outlaw said, setting up the analogy to describe how she feels her critics are acting. "And I come with the intention to fight. And then you get mad because I kicked your butt. And then you go back and you wail off and whine and complain."

Patriot Prayer supporters and antifascist counterprotesters have brawled in Portland's streets several times in the past year, sometimes escalating protests into riots. In the weeks before the

Aug. 4 events, observers had called on Portland police to prevent another bloody clash, and city officials pleaded with citizens to stay home.

The schoolyard comparison is just one of several bold statements Outlaw made during the interview. She also claimed she approached Mayor Ted Wheeler and told him she would sweep the Occupy ICE camp—and she says she "wasn't asking for permission."

WW transcribed the full interview, which touches on Outlaw's views on antifa, Patriot Prayer and its allies "who are believed to be white supremacists—if that's even the case," and Oregon's sanctuary laws. She also talked about being a black woman in power taking criticism from the left.

Here's the full conversation:

Lars Larson: Welcome back to the Lars Larson Show. It's a pleasure to be with you live on the Radio Northwest network. And I've been looking forward to this interview for some time. I'm joined in studio—and she was nice enough to come all the way over here to be able to talk with me in person—Chief Danielle Outlaw. How you doing chief?

Chief Danielle Outlaw: I'm great. Thanks for having me today.

LL: So now how long have you been here since Oakland?

DO: 10 months.

LL: 10 months. Is Oakland a tougher city or is Portland a tougher city?

DO: Similar issues, different cultures.

LL: Different, how different?

LL: Come on. We're not politically correct here.

DO: Neither am I. I'm just trying to find a very succinct way to say it. It's different in that, historically... The history is similar but it's different as far as how it's progressed over the years. So, Oakland is known, same thing, social, political activism. I would say that Portland is known for the same thing but I would think that how it's been addressed over the years is a little bit different.

LL: Well let's talk a little bit about the social, I guess, political or social activists: antifa. I want to know what you think and I want to know, let's start with this: Is antifa a terrorist group?

DO: That is not a soft toss, first of all. Second of all, you know, I don't have an opinion on whether any organization is a terrorist group. We focus on behaviors. And the same thing I said when asked about it early last week, you know, when I was asked whether or not I was focusing on one group versus another group. I made it very clear that I focus on behaviors. And at that particular time, that group is the group that was lobbing projectiles and setting off smoke bombs and, you know, showing up in flak jackets and bringing guns and wearing helmets. And, so, yes, that's where my attention went. Now, whether or not they're a terrorist group, I don't think that's for me to say. But I will say that their intention that day was to cause physical harm and confrontation.

LL: And it sounds like, and at least from my observation, you know, you can see from my studio I get to see a lot of this stuff happen right outside the building. I'm convinced antifa doesn't know I'm up here because I think if they did they might pay more attention to this building. But when I see people show up, armed, often with sort of improvised armament—I mean poles; they'll come with highway flares that they have on occasion thrown into police vehicles; they throw objects at

police officers; and they scare people away from downtown Portland. That seems like a terrorist group to me.

DO: Well again, I'm not here to legally define what a terrorist group is. But you're absolutely right in your observations. And I've seen it in my time here and then also in my time in Oakland as well. And it's not just, you know, there was also some narrative around well, you know, 'They were prepared for confrontation. They came for confrontation.' Yeah, but I think it was they got confrontation but it's not who they wanted confrontation with, one. But there were also citizens there. It's not just they antagonized who disagrees with them at the time. If they were there to confront Patriot Prayer, which is what they said, there were also citizens there, Portland citizens, who also got caught up by that. Or if they yell out, or tell them to go home or whatever, they, you know, they get the short end. So it's not, their focus is against anyone who disagrees with what their ideology is.

LL: Do you know what their ideology is and what they're asking for? Because to me they seem like a bunch of anarchists who just don't want to follow the laws at all. That is, if they were out saying 'Save the whales' or 'stop the oil tankers' or 'stop the wars,' I mean I don't get a sense of a coherent message from them except when we're done things will be broken and people will be hurt.

DO: You know, I'm not a subject matter expert on them, but I will tell you this: The fact that I, as a very obvious African American female police chief, have been accused by those within that group or those who support that group, as being a supporter and protector of those who are believed to be white supremacists—if that's even the case—is ridiculous. Right?

LL: Yeah, I would agree with you.

DO: So when you ask me about whether I truly know what their ideology is, I don't know. Because that makes absolutely makes no sense. I mean, I went down there on Naito Parkway and they were yelling at me and calling me everything but my name. Saying 'How dare you.' 'You're a hypocrite.' 'How do you think other black people feel?' 'How do young black girls, how do you think they can look up to you now?' 'You're protecting white supremacists.' All these, I mean: Where is all of this coming from? So, you know, It's one thing to come out and speak out and exercise your right to free speech. But all that extra that they brought along with it, to me, completely railroads what they say and who they say they are.

LL: I'm talking to Portland Police Chief Danielle Outlaw. And, about antifa, before we leave that altogether—I want to give you a chance to get that water open. I hope I didn't give you dry mouth or anything like that—but I, these people drive me nuts. Does the mayor give you enough latitude as chief, to deal with these groups, not just in the incident that may be happening today, but some kind of long term strategy? Or are we going to have to watch this 'til the end of the Trump administration?

DO: You know, there has been a lot of focus on the mayor lately. And I would say, that he, from day one, when I came here and interviewed for the job, I asked him two questions. And one of those two questions was 'will you support me in what I need to do?' And he said yes, wholeheartedly. Since I've been here, he's been extremely supportive. When I step out and say, hey, we need to do this, he's very supportive of it.

But I think the focus needs to not only be on the mayor because he's the face of the city, but there are also other legislators, not just in the city but up through the state. I think the police department tends to be pulled in the middle of these things. And we're here to enforce the law.

Legislators create the law, we take the law, and we enforce the law. We can't enforce what we don't have.

LL: Well, let me ask you this about enforcing the law. When it came to Occupy ICE, the law did not get enforced.

DO: Well, it depends on who you're speaking to. So, it was made very clear—at least I thought, and looking back in hindsight maybe it wasn't, because I had to come back out and try to clarify what was communicated very early on. It wasn't that we were not coming to answer calls—we, PPB—it wasn't that we weren't coming to answer calls for service. The direction was, that particular facility has their own police and their own resources. That will be their focus. We will allow the federal protective services and their federal police to focus on that. Anything else, we'll come to.

LL: And that was it?

DO: That was it.

LL: Do you think that led to good law enforcement in that situation?

DO: You know, I don't want to say good or bad. I will certainly say, when I went to the mayor and said 'Look, this isn't sustainable'—not just resource-wise, it's just out of control for many reasons—he was extremely supportive and said OK. I wasn't asking for permission to go out and clear this camp. I said 'This is what's going to happen and here's how it's going to happen.' And again I got the support to do that. So, it just, depending on who you speak to, for some, it took longer than they would have liked for it to occur. But I will say this, we worked with—we, PPB, I keep saying we—we worked with a lot of city partners. Commissioner Eudaly's office and her staff was instrumental with establishing communication and going and speaking with folks and letting them know that something is going to happen soon and here's why it's not okay for you to be here. Had that not been done, although it took longer and it stretched out the process a little bit longer than a lot of us would have liked, the cleanup would not have gone the way it went. By the time we got there, there was very little resistance at all. There were only a handful, maybe a dozen of people left, because of the communication that had taken place. So the slow, methodical approach really benefited us in the end because we didn't have to, again, there wasn't a lot of force used and again it was cleared out with very little incident. It could have gone another way.

LL: But if the message that is communicated from the police is 'We'll often let a situations like this go on for weeks, in the case of a previous Occupy in Portland months, before we act on it', it sounds like that's the kind of message that some people will take off and run with. And they're going to say 'Great, we can, the Portland police will let us get to the point where we have barricades set up and everything else.' That doesn't seem like a good way to approach it.

DO: And that's when it was cleared out. And that's when it was cleared out. Again, you know, my concern is the safety of everybody. And I don't want to, you know, I'm not going into all of our tactics, but I want to make sure that when we make a decision to move, we're going to do it at the best possible situation but at the same time in the most safe way that we can do it. And like I said, at the time that we went in and how we went in and the methodical process that was utilized to establish communication over the weeks, it really benefited us in the end as opposed to having to deal with far more resistance and far more people on the front end. To your point though, you know you kind of references antifa, you know, or whatever. I will say, just looking back at August 4, so we talked about culture, right, some of the differences that I've noticed. What really strikes me, and struck me last week was, the majority of the questions.

I made myself available to the media that Monday, the following Monday. I had already sent out two statements, and I wanted to have an opportunity to answer any direct questions that people had of me. And the majority of the questions that I got in that short amount of time where we were all available, not just me, a lot of the questions were focused on why we spent so much of our attention on one group versus the other. And after maybe about the fifth or sixth question, I don't know, it really just kind of, it took me aback because I said at what point do we hold accountable the people that are coming here and breaking the law. At what point do we question when a reporter says 'Yeah, I was there, we all heard the dispersal orders but nobody listens to that.' At what point does somebody say, "I was there to protest against white supremacy and I got caught up in all these things." We told you to leave. At what point does somebody say, "Well, why didn't you obey the dispersal order?" There's been no focus on that. But there's been focus on our tactics.

I tell people, we hold ourselves accountable. If we did something wrong, we own it. I own it. We'll take it. Because we don't want to continue on doing the same thing over and over again if we can find ways to improve moving forward. But at what point is there accountability to not only acknowledge the law and say that lawlessness is not okay.

That's what I mean, in the change in culture because, and I'll use this analogy: I tell you, 'Meet me after school at 3:00. Right? We're gonna fight. Right?'

LL: Yeah. [laughs] Yeah.

DO: And I come with the intention to fight. And then you get mad because I kicked your butt. And then you go back and you wail off and whine and complain because you thought when you left that you were going to come and be the victor. And that didn't happen. Nobody's calling that. Why?

LL: I know your time is limited, so let me ask you about something else. Would it make law enforcement work better in Oregon if Oregon voters this fall vote to eliminate the so-called state sanctuary law that I think is America's longest standing sanctuary law and allow you to say 'We've caught this person committing a crime, and it turns out he's illegally in the country.' You hand him to ICE, and ICE removes him from your community altogether. Oregonians will vote on that and I think they're going to vote to approve to get rid of that law. Will you vote for that law—that change?

DO: Now, I told you. Didn't I just tell you that I leave the politics to the politicians?

LL: But you are a voter?

DO: You know, I absolutely am a voter. I will tell you this: I don't believe that one has to do with the other. That's my personal belief but I'm wearing my uniform right now. My focus and my attention, again, is on behaviors. I don't care where you came from.

LL: But if your behavior is your presence in a place where you're not allowed to be—if I go to the Police Bureau, I'm not allowed to go upstairs without, say, Pete Simpson saying 'You can come upstairs.' If I come into the bureau illegally, I'm in a place I'm not legally allowed to be. If you find someone who is not legally allowed to be in my country, your country, shouldn't you remove that person and hand him off to the proper authorities?

DO: I don't choose to prioritize my time or my resources in that way. And this is a much larger discussion I think. Because of the resources we do have and we don't have, I have to focus on violent crimes and quality of life crimes, right? Not someone's mere presence. Presence doesn't bother me.

LL: Eighteen percent of the convicted rapists in Oregon prisons right now illegal aliens. Now, they're not 18 percent of the population but they're 18 percent of the convicted rapists. When you talk about violent crime, if you could have those illegals removed from the country before they rape, before they kill, before they commit other violent crimes against the citizens you're sworn to protect, isn't that a good thing?

DO: I wouldn't say it's a good or a bad thing. I will say that it's a small percentage. What happened? That's only 18 percent... That's a small percentage.

LL: Eighteen percent of the rapists in state prisons are illegal aliens is a small percentage, when they're maybe 3 percent of the population?

DO: What's left? 82—I'm not that good at math.

LL: Those are the citizens, yeah.

DO: No, but you're saying 18 percent of the rapists?

LL: Are illegal aliens. Convicted rapists sitting in prison today.

DO: So does that mean 82 percent of the rest are...

LL: Are citizens.

DO: But they're rapists?

LL: Yes.

DO: So, I would say that my resources go where the numbers take me. My resources go to 82 percent and not to 18 percent.

LL: And you won't say how you'd vote on sanctuary?

DO: Absolutely not.

LL: Don't you think you're a leader?

DO: Absolutely I'm a leader. But I'm not a politician.

LL: Okay. Chief Outlaw, it's a pleasure to see you. I hope you come back some time.

DO: Thank you.

## **The Portland Mercury**

### **Tenants' Advocates and Landlord Groups Prepare for Another Legislative Showdown**

*By Alex Zielinski  
August 15, 2018*

**The newest fight for state-level tenant protections was ignited by an old pamphlet.**

Oregonian reporter Gordon Friedman discovered the fundraising pamphlet, created by the local landlord lobby group More Housing Now (MHN), circulating City Hall offices earlier this month. In an August 3 story, Friedman unpacked the plans outlined in the document—plans that derail tenant protection policies at both the city and state level—and its criticisms of Mayor Ted Wheeler and Commissioner Chloe Eudaly, who were singled out for allegedly ignoring

landlords' concerns. According to MHN's pamphlet, meant for campaign donors, the group had a \$2 million fundraising goal to reach prior to the state's 2019 legislative session.

Tenant advocacy groups clapped back. "Anti-renter protections groups have set a bullseye on statewide renter protections," reads an email sent by the Oregon Community Alliance of Tenants (CAT) on August 5. "We must band together to send a strong message to our elected leaders that protecting community stability over the interests of a select few is absolutely critical." If just 10 percent of all Oregon renters donated \$14 to CAT, the message claimed, they'd surpass MHN's fundraising goal and "send that message."

According to MHN spokesman John McIsaac, that pamphlet was printed in December 2017, and MHN's campaign to fight renter protections has "morphed a little" since then. But, he said, the group's fundraising efforts have only intensified in recent months. "We're in aggressive fundraising mode," says McIsaac.

The fight was simmering long before Friedman found the pamphlet. Both tenants' rights groups and landlord organizations have been quietly gearing up for a fight since 2017, when the Oregon Senate failed to pass a sweeping tenant protection bill. Now, as we creep towards another legislative session, what can we expect that fight to look like?

Last year's legislative clash focused one bill: House Bill 2004, which would have allowed cities and counties in Oregon to establish rent control policies and limit landlords' ability to issue no-cause evictions. But Senate Democrats agreed to drop the rent control provision in order to appease skeptical party members like Senator Rod Monroe, who owns an apartment complex in East Portland. The bill still died on the senate floor, thanks in part to MHN's tenacious lobbying.

As we approach the February 1 start of Oregon's 2019 session, the political landscape has changed. Monroe's inaction on HB 2004 lost him a re-election bid, when voters replaced him with renters' rights advocate Shemia Fagan. Portland has since passed an ordinance requiring all landlords to cover relocation costs for tenants who either receive a no-cause eviction or face a substantial rent hike, and a number of other tenant protection policies are headed to a city council vote.

These mounting changes coincide with a shakeup within MHN. "Our member organizations have disparate agendas," says McIsaac. While MHN's website warns that weakened tenant screening laws will stick landlords with drug addicts and sex offenders and that security deposit restrictions will force landlords to sell, McIsaac says the organization is only focusing on one issue moving forward: fighting rent control.

Oregon has banned rent control since 1985. In the last few years, affordable housing advocates—including Commissioner Eudaly—have called on state legislatures to lift the ban to allow cities and counties the opportunity to cap local rents. The hope is that these rent limits will bring stability to tenants who are at risk of being displaced by potential rent hikes.

Landlords and developers argue that rent restrictions would effectively freeze all new development of affordable housing. They claim that any rental units exempt from such controls would be forced to increase their rents. In short, strengthening tenants' protections they say.

"We do not accept that false trade-off," writes Madeline Kovacs, leader of the affordable housing advocacy group Portland for Everyone, in an email to the Mercury. "Making it legal to build enough homes for Portlanders to live in is a different issue than tenant protections. We don't have to choose only one or the other, even though the landlord lobby would love for Portlanders to believe that we do."

McIsaac says these rent caps will ultimately impact the mom-and-pop landlords who might have to sell their investment properties if they can't bring in enough rent. But what would happen to those same small property managers if the market is oversaturated with housing, forcing rents down? "I don't have an answer to that," McIsaac says. "I wish I did."

Jamey Duhamel, Eudaly's policy director, acknowledges the strain that rent control could place on landlords.

"Sure, there may be some turnover in the market, and small-time landlords may no longer choose to be in the business if they feel it's not lucrative," Duhamel says. "That's their choice, and someone new will fill their place."

Those lobbyists appear ready for a fight. In a June letter, Thomas Brenneke, the president of Guardian Real Estate and an MHN organizer, writes that MHN "expects a new challenge to the rent control preemption during the 2019 legislative session and will mount a vigorous fight to defeat it again."

The group's campaign war chest, however, doesn't reflect this vigor. So far this year, MHN's political action committee has collected \$206,000. But a good portion of that has been handed out to candidates (like a recent \$2,500 donated to Portland City Council candidate Loretta Smith), leaving the group with \$23,000 to put toward updated pamphlets, legislative meetings, campaign events, and other lobbying efforts. The campaign hasn't recorded any donations since May.

It's unknown how much CAT's new fundraising effort has raised, since nonprofits are not required to report donations to the state. Katrina Holland, director of CAT, says the funds raised will help guarantee that tenants and tenant advocates will get facetime with state legislators by covering transportation costs, translators, and daycare. It will also fuel the organization's lobbying power in Salem.

But at this point in Portland's housing crisis, city staffers see no reason to wait for state lawmakers to pass policies. City staffers plan on getting new tenants' rights proposals before city council long before the Oregon Legislature is in session. One proposal, which restricts landlords' ability to reject prospective tenants for their criminal history, credit score, and a number of other factors, is scheduled for a September 20 hearing.

"The time to act is now," says Duhamel. "Well, the time to act was 10 years ago... but here we are."

## **Chief Outlaw "Weighing Options" of Outside Investigation into Police Conduct at Aug 4 Rally**

*By Alex Zielinski  
August 15, 2018*

On Saturday, August 4, at least three Portlanders were seriously injured by so-called "less lethal" munitions shot into a crowd of counter-protesters by Portland Police Bureau (PPB) officers. Mounting outcry from public over PPB's actions during the protest, which was organized by Washington alt-right group Patriot Prayer, and subsequent counter-protest ignited an investigation by the PPB's Independent Police Review (IPR). But many question the veracity of that pending investigation, since the IPR is a city-run program that works closely with the police.

Perhaps its this skepticism that's pushed PPB Chief Danielle Outlaw to consider an outside investigation into her officers' actions on Aug. 4.

"[Chief Outlaw] is presently weighing the options of having an outside critical incident review conducted of PPB's police response on Saturday, August 4th, in order to gain an outside, expert perspective," writes PPB spokesperson Pete Simpson in an email to the Mercury. Mayor Ted Wheeler also hinted at an outside investigation during this morning's city council session.

It wouldn't be the first time PPB has relied on an outside team to investigate police conduct. Since 2010, the the California-based OIR Group has contracted with the city to investigate more than 40 officer-involved shootings within the PPB, and its findings have regularly informed policy changes—like the end of the 48-hour rule.

Simpson gave no timeframe as to when Outlaw would decide on an outside inspection.

## **OPB**

### **Portland Water Bureau Has Location, Technology in Mind for New Filtration Plant**

*By Amelia Templeton  
August 15, 2018*

The Portland Water Bureau has identified a likely location for a new treatment plant for the city's drinking water, which comes from the pristine Bull Run Watershed east of Portland.

The bureau has until 2027 to design and build the plant under an agreement it reached with the Oregon Health Authority last year after testing found a tiny microbe, cryptosporidium, in the city's water source.

Some forms of the microbial pathogen can cause serious and even fatal illness in humans, while other varieties don't appear to easily infect people.

The preferred site for the plant is a 95 acre parcel of land in the unincorporated community of Cottrell, roughly halfway between Gresham and the Bull Run Watershed.

The water bureau acquired the property decades ago, anticipating that as federal drinking water regulations changed it might need to build a treatment plant.

Director Mike Stuhr says the site is surrounded by farms and nurseries. It has the appropriate zoning for a plant and is at an elevation that will help maintain the flow of water through Portland's pipes. Portland's water system is almost entirely gravity fed.

"It's a little early to predict, but one of my goals is gravity's cheap, gravity is free, nobody's figured out to bill us for it yet. So we want to maintain as much of the gravity system as possible," Stuhr said.

Stuhr and bureau staff presented the Portland City Council with an update on plans for the treatment facility this week.

The bureau has also identified a preferred technology for the plant: a granular media filtration system.

It's the most common type of treatment used by large water systems in North America. Granular systems typically use a combination of sand and anthracite, a type of coal, to filter out sediment and microbes.

The bureau wants the new plant to have the capacity to treat 140 to 160 million gallons per day, based on the projected daily demand for water through 2045.

The water bureau has not developed an updated cost estimate for the plant, but pressed by Commissioner Nick Fish, Stuhr said the technology the bureau prefers should put costs at the low end of an initial estimate of \$350 to \$500 million.

But Stuhr cautioned that a number of factors make it difficult to predict construction costs, including new tariffs that have created uncertainty around the future price of steel.

"I can say generally, from listening to my staff talk, we're seeing increasing prices," Stuhr told OPB.

Next week, the water bureau will ask the city council to authorize two major decisions related to the multi-million dollar construction project.

The bureau wants to hire the environmental engineering firm Brown and Caldwell to assist with high-level project planning and design oversight decisions.

The bureau is also seeking approval to use alternative criteria to evaluate bids for the construction project.

That would allow it to select a general contractor based on qualifications, as opposed to the lowest cost, according to the bureau.

Portland's City Council voted unanimously in 2017 to direct the water bureau to pursue plans to build a filtration plant for the city's drinking water.

Up until that year, Portland had been the only large city in the country with a variance from EPA rules that require treatment of surface water sources for several microbial pathogens.

Portland received the variance on the basis of the extraordinary environmental protection of its water source, the Bull Run Watershed, and testing that established little presence of cryptosporidium in the city's reservoirs and their surroundings.

In 2017, routine testing began regularly detecting very small amounts of cryptosporidium in the city's water supply. While no public health outbreak of cryptosporidiosis was detected, the Oregon Health Authority announced it was revoking the water bureau's special variance.

In addition to removing any cryptosporidium from the water supply, a treatment plant will also remove sediment from the water. Bureau staff say that will make the city's drinking water system more resilient to climate change and to natural disasters like wildfires and earthquakes.