

The Oregonian

Wapato Won't be Demolished Right Away as Schnitzer Awaits Ideas from Mayor, Others

*By Molly Harbarger
October 1, 2018*

Jordan Schnitzer didn't mean he would demolish Wapato Jail on Monday. He just wanted to let everyone know he wouldn't keep paying \$50,000 a month for an empty, unused jail forever.

Mayor Ted Wheeler and developer Homer Williams have both told Schnitzer that they want a little more time to make him a pitch to turn the building into a homeless shelter, mental health facility or substance abuse recovery center.

Oregon Republican gubernatorial candidate Knute Buehler also asked Schnitzer to hold off until the Nov. 6 election before he bulldozes the jail he bought in April to see if it can be used.

Schnitzer said he's talked with engineers who have worked on warehouse projects with his company, Harsch Investment Properties, about a demolition permit. They first need to figure out how to cap utilities and where electrical lines are before they can apply for a permit.

Then Harsch would solicit bids to do the demolition. The demolition wouldn't happen before the election even if he decided to go forward with it, Schnitzer said. He likely wouldn't start construction on a warehouse until late spring.

Schnitzer said he didn't mean to start a panic in a Willamette Week interview last week when he said he would give up on turning Wapato into a place for social services by Oct. 1.

Schnitzer has made no secret that his offer is contingent on a proposal that has money attached to it. If no one can figure out a way to operate a program in the never-used jail built by Multnomah County for \$58 million, then he would demolish the building and build a warehouse.

He bought the jail from Marty Kehoe for \$5 million after Kehoe bought it from the county for the same price.

Developer Marty Kehoe is now the proud owner of Wapato Jail.

Schnitzer said that some people who looked into Wapato estimated that a program would cost upwards of \$5 million a year -- a steep price for most nonprofits, and even for public social services.

Wheeler's office said the mayor has talked to Schnitzer about using Wapato for a public benefit but hasn't put forward a proposal. Schnitzer said he expected more firm details by Monday afternoon, but none had come.

"At this point, nothing has moved beyond informal conversations," said Michael Cox, the mayor's chief of staff.

Homer Williams, whose Harbor for Hope nonprofit is behind the idea for a homeless navigation center in Old Town Chinatown, also claims to still be working toward a proposal to use the jail space for mental health or drug and alcohol recovery.

"We haven't given up on the concept and we are working diligently," Williams said last week.

If anyone comes up with a viable plan, it would be the first since the jail was built more than 20 years ago. The inside is less like a prison than some might expect from a jail for 500 minimum-security inmates, but still would require renovation.

Multnomah County commissioners refused to fund a homeless shelter in the building, despite repeated calls for it from some in the community and Commissioner Loretta Smith.

Smith restarted the debate last month when she said that local leadership needed to step up and use it as a temporary shelter.

However, the price tag to operate a shelter, plus the cost of transportation between many services centralized in downtown and Wapato in industrial North Portland have made it a tough sell.

Schnitzer said he would be happy to help fundraise a few million if someone could put together a coalition of people and the bulk of the money to run Wapato.

He just can't do it himself.

"This involves a skill set I don't have," Schnitzer said. "I've tried to reach out to everyone who can read the paper or see TV and say you take the lead."

Portland Police Fired at Man who Turned Toward Them with Gun, New Details Indicate

By Maxine Bernstein

October 1, 2018

Two Portland police officers pulled up to a shootout in downtown after hearing gunfire early Sunday, saw muzzle flashes and fired multiple times at a man who they say turned toward them holding a gun in a parking lot, according to new details obtained Monday by The Oregonian/OregonLive.

Police shot Patrick K. Kimmons, 27, and he was pronounced dead at OSHU Hospital. It's not clear how many times Kimmons was shot. His family has claimed he was hit 12 to 15 times in the back, but police sources say the two officers fired less than 10 times.

Central Precinct Sgt. Garry Britt, with the bureau 10 years, and Officer Jeffrey Livingston, with the bureau one and a half years, are on paid administrative leave as police continue to investigate the shooting. The case will be presented to a Multnomah County grand jury for review.

Police suspect two other men were wounded at the scene before the officers arrived. The men were taken by private vehicles to Legacy Emanuel Medical Center a short time later.

According to a preliminary police inquiry, officers reported to emergency dispatchers about 3 am. Sunday that they heard gunfire near Southwest Third Avenue and Harvey Milk Street.

Britt and Livingston, in separate police cars, responded, driving into a parking lot from Southwest Fourth Avenue, at Harvey Milk Street. At least one of the cars had its overhead emergency police lights on.

Officers reported seeing muzzle flashes when they arrived. The sergeant and officer then confronted one man who turned toward them holding a gun and fired at him, the police inquiry indicates.

Harvey Milk Street is the new name for a 13-block stretch of former Stark Street, running from Naito Parkway to Burnside.

An officer reported immediately after the shooting that one person was shot, lying semi prone, with what looked like a gun beside him.

Investigators found five guns at the scene of the shooting, including some discovered in or around cars searched in the lot. It's not clear whose they were or what prompted the shootout.

The state crime lab will examine the ballistics to determine who may have handled the guns and fired the shots that wounded the two men. Investigators also are reviewing surveillance videotape from nearby businesses.

One man who identified himself only as Bucket, 35, who lives in The Henry building on Fourth Avenue, said he was awakened early Sunday by a "short burst of rapid gunfire." He said he looked outside briefly and saw police cars arriving in the area.

Letha Winston, Kimmons' mother, started a GoFundMe site to help pay for her son's funeral. On it, she wrote that her son was shot in the back and leg as he was running away and struck 15 times.

But police sources said the two officers fired fewer than 10 shots in total. Police didn't say where Kimmons was hit.

Two other men showed up shortly after the shooting at Legacy, suffering from gunshot wounds believed to have happened before police arrived at the parking lot. Their wounds were serious but not life-threatening, police said.

It's unclear if that altercation stemmed from a particular argument or simply because older rival gang members from the Rolling 60s Crips and the Bloods happened to see one another in the parking lot after leaving separate clubs nearby, police said. The parking lot stretches the entire block, on the north side of Harvey Milk Street; the Hi-Lo Hotel is on the south side of the street.

"The Police Bureau is sensitive to the fact a life was lost, and many people from the Portland community are impacted, including family, community partners and officers," the bureau's spokeswoman Officer Natasha Haunsperger said in a statement. "We will strive to release information as quickly as possible as the investigation unfolds."

Four-and-a-half hours after the shooting, Kimmons' mother posted on her Facebook page that her "baby was gone" and "police killed my son."

"With my son's life being taken my life will never be the same," Winston wrote on her GoFundMe page. "My grandchildren's life will forever be filled with pain from a void that can never be replaced. This pain has to stop! I wouldn't wish this reality on anyone ... When it hits home I can't even put into words. I don't know how to go on, I don't know how to begin to accept this."

She asked why police had to shoot her son instead of arresting him.

"As people get desensitized as if a life was not taken, as if my son didn't have kids. As if my son didn't deserve to live," she said. "There's nothing that can explain or be justified that my son is dead, or never coming back, never to hug me or tell me, 'I love you.' Realities such as this make it hard to believe in justice."

Kimmons, a father of three young children, was well-known in the Portland community.

His shooting death by police immediately drew "Don't Shoot Portland" protesters to downtown later Sunday. It marked the second fatal Portland police shooting and the third Portland police shooting this year.

Kimmons had ties to the Rolling 60s Crip gang, according to police and court records. So did one of the men who was wounded, Manny Gonzalez.

Kimmons had been the victim of a shooting in April 2014 in Northeast Portland. He had prior convictions for witness tampering in 2010, and for delivery of cocaine and possession of a firearm in 2011. He had been ordered by a judge to have no contact with gangs in each of those cases, but he had had no serious criminal convictions in the past seven years.

His Facebook page said he was working as a baker for Dave's Killer Bread, but the company doesn't have any record of Kimmons having worked as an employee, according to Katie Kieper of the company's public relations firm Maxwell PR.

Kimmons wrote on his Facebook page in July, "Trying to work on myself as a man and also trying to raise my kids the proper way No one ever said being a parent was gonna be easy but i dedicate my time to my children because i want to teach them that they can be anything they want to in life Besides being a Stripper-Hoe, Selling Drugs, Gangbanging etc.. I have seen so much in life and and gained so much knowledge in life that i want to show them a better route to take so they can be more successful in life and not really have to struggle (.) #Family"

Mayor Ted Wheeler, who serves as police commissioner, didn't visit the scene of the shooting. Chief Danielle Outlaw was on vacation and wasn't in the city when the shooting occurred but returned Sunday night.

"My thoughts are with (Kimmons') family and those affected by Sunday's events, including the officers involved, witnesses, and our community partners who work every day to reduce conflict and violence in Portland," Wheeler said in a statement. "In the coming days and weeks, many will rightly have questions about what happened. These questions are important; the answers are important. There are now multiple active investigations, and I am committed to ensuring accurate information is disclosed as quickly and completely as possible."

Two other officers who witnessed the shooting have been interviewed by investigators, police said. Britt and Livingston were scheduled to be interviewed later Monday, police said just before 5 p.m.

Police ask anyone with information about the shooting to contact Detective Darren Posey at 503-823-0403 or darren.posey@portlandoregon.gov or Detective Rico Beniga at 503-823-0457, or rico.beniga@portlandoregon.gov.

Mental Health Alliance Granted 'Friend of the Court' Status in Police Reform Case

*By Maxine Bernstein
October 1, 2018*

A federal judge has granted the Mental Health Alliance "friend of the court" status in Portland's settlement with the U.S. Department of Justice on police reforms, finding the alliance's "expertise will be useful."

U.S. District Judge Michael H. Simon issued his ruling Monday, three days before the parties in the case are due back in court to update him on the status of the city's non-compliance with a key provision that requires community oversight of the reforms.

The mayor has moved to create a new Portland Committee on Community-Engaged Policing, and selected its members earlier this month. The committee will replace a defunct community advisory board that dissolved more than a year ago amid strife between members, and lack of feedback from the city or police bureau. The new committee members are undergoing training and are expected to hold their first meeting in November.

The city's settlement with the U.S. Department of Justice called for reforms to police training, policies and oversight after a 2012 federal investigation found Portland police engaged in excessive force against people who have or are perceived to have a mental illness. Investigators also found that police improperly used stun guns against suspects. Simon approved the agreement in 2014.

The Mental Health Alliance was formed in July and is made up of Disability Rights Oregon, the Mental Health Association of Portland and Cascadia Behavioral Healthcare. The groups cite their experience as direct service providers to people with mental illness, and asked for a seat at the table as the city settlement remains before a judge.

In its recent petition to the court, the alliance cited concerns about ongoing police shootings of people with mental illness since the settlement was approved, the lack of sufficient drop-off or walk-in centers for people in crisis and the absence for more than a year of meaningful community oversight.

Simon said he granted enhanced amicus status in the case to the Albina Ministerial Alliance's Coalition for Justice and Police Reform early in the settlement agreement because the community coalition had a long history monitoring police actions in the city and had urged federal Justice officials to investigate the city force in 2012.

The judge found the enhanced status was not necessary for the new Mental Health Alliance. Instead, he granted regular "amicus curiae" status to the alliance, meaning the alliance can file briefs in the case and address the court during hearings in the case. He'll also allow the alliance lawyers to sit in front of the courtroom with the parties in the case on Thursday, noting the alliance "has unique information or perspective that can help the court."

The city, the police union and federal Justice attorneys opposed the alliance's request for enhanced amicus status, which would have allowed the alliance to participate in negotiations or mediation on the terms or amendments to the settlement. The city and federal Justice Department weren't opposed to the regular amicus status the judge afforded to the alliance.

"We're grateful to the court and proud the city is going to hear personally from people with mental illness and addictions directly affected by the settlement," said Jason Renaud, board secretary of the Mental Health Association of Portland.

Thursday's hearing will start at 9 a.m. in Simon's courtroom 15B in the U.S. District Court in downtown Portland.

After the judge's introductory remarks, lawyers from the federal Justice Department, the city of Portland, the Albina Ministerial Alliance's coalition, the Portland Police Association, the city-hired compliance officer and the Mental Health Alliance will each have 20 minutes to address the judge.

Public testimony is not expected to begin until 11:30 a.m., with a noon break for lunch and resume at 1 p.m. if necessary, according to court records.

The Portland Mercury

Patrick Kimmons Identified as Victim in Sunday's Fatal Police Shooting

*By Alex Zielinski
October 1, 2018*

The Oregon State Medical Examiner has identified 27-year-old Patrick K. Kimmons as the victim of yesterday's fatal police shooting in downtown Portland.

According to the Portland Police Bureau, the two officers who fired at Kimmons early Sunday morning believed he had been involved in a nearby shooting that left two people injured. Those officers are Sergeant Garry Britt, a ten-year PPB veteran, and Officer Jeffrey Livingston, a one-and-a-half-year veteran of the Bureau. Britt has fired his gun at suspects in the past, including a man who aimed a rifle at Britt and another police officer in 2013.

Britt is also the first officer who interacted with John Elifritz on April 7, the day Elifritz was fatally shot by PPB officers in a Southeast homeless shelter. Britt responded to a 911 call Elifritz had made earlier that day, falsely claiming his family had been murdered at a house in Southeast Portland. In his testimony given to a Multnomah County grand jury, Britt said he tracked Elifritz down on SE Holgate Ave and tried to talk to him, but Elifritz said he didn't want to talk and flashed a knife. Britt said that's when he decided not to engage with Elifritz and instead forwarded his name to PPB's Behavioral Health Unit for a future check-in. (Of course, that check-in never happened.)

In a media release, PPB spokesperson Natasha Haunsperger says Britt and Livingston will be interviewed by PPB detectives later today. Both officers have been put on paid administrative leave until a grand jury decides whether the officers will be criminally charged for the shooting.

Two other police officers and "numerous community members" have been interviewed as witnesses. PPB says they also have a video of the incident.

Kimmons' family and friends, along with members of Don't Shoot Portland, are holding a vigil tonight at the site of Kimmons death—the corner of SW 3rd and Harvey Milk (formerly Stark). Kimmons mother, Letha Winston, has created an online fundraiser to pay for the cost of Kimmons' funeral, or "home going."

"I don't know how to go on, I don't know how to begin to accept this," Winston posted on the GoFundMe page. "It kills me my son did not threaten the life or welfare of any of the 3 officers but was still murdered as he ran away! What happen[ed] to getting arrested? What[is] wrong with due process, or the judicial system?"

According to his Facebook profile, Kimmons worked for Dave's Killer Bread and had three young children.

Don't Shoot Portland will hold a rally at the memorial site on Saturday, October 6.

The Portland Business Journal

Portland State Announces \$3 Million for Homelessness, 'Future Cities'

*By Matthew Kish
October 1, 2018*

Portland State University on Monday announced it will spend \$3 million over the next three years to address homelessness and study how technology can improve cities.

As part of the effort, the university has established two new research centers: the Homelessness Research & Action Collaborative and the Digital City Testbed Center. Each center will get \$500,000 a year from Portland State over the next three years.

"Portland State's mission is to use our vast knowledge and expertise to serve the city by addressing its most critical issues," said Portland State President Rahmat Shoureshi, in a news release. "Creating these two university research centers was a high priority for me to fulfill our mission."

The Homelessness Research & Action Collaborative will try to reduce homelessness by first studying its causes. The center will collaborate with elected officials, nonprofit leaders and other stakeholders. It will ultimately provide policy recommendations.

"Addressing homelessness is an all hands-on-deck effort," said Mayor Ted Wheeler, in a news release. "I'm energized PSU is making the important investment of a Homelessness Research and Action Collaborative, to address challenges of homelessness on the local level and beyond."

The Digital City Testbed Center will study how technology can improve cities while taking into account concerns about privacy, equity and security.

"Our community's response to the housing crisis is stronger when our partners like Portland State step up and come to the table," said Multnomah County Chair Deborah Kafoury, in a news release. "This commitment to contribute their academic rigor and research capabilities to our efforts represent the best of our community."

Each of the centers will seek outside funding. The centers will be housed on Portland State's campus.

OPB

Police Identify Victim, Officers In Downtown Portland Shooting

October 1, 2018

The Oregon State Medical Examiner identified the victim in Sunday's officer-involved shooting in downtown Portland as 27-year-old Patrick Kimmons.

On Monday, the Portland Police Bureau also identified Sgt. Garry Britt and Officer Jeffery Livingston as the officers involved. Both are on paid administrative leave.

Britt is a 10-year veteran of the force, and was involved in a 2012 shooting that was ultimately determined justified. Earlier this year, Britt was among the officers who had contact with John Elifritz, a man killed by Portland police at a homeless shelter in April. Britt did not fire his weapon in that case.

Livingston has been with the Portland police for a year and a half. He was previously a corrections officer and worked with the Coast Guard, according to Patch.

Police say Britt and Livingston shot Kimmons after two other people had been injured in a separate shooting earlier. Those two people went to a local hospital with “serious, but not life-threatening injuries,” according to police.

PPB has not released details of what specifically led to either shooting.

“A gun was recovered near Mr. Kimmons, and multiple firearms were recovered in the area of the crime scene,” Officer Natasha Haunsperger said in a press release.

Protesters have criticized Portland police since Sunday’s shooting and planned to hold a vigil for Kimmons on Monday evening.

The bureau says it is interviewing members of the public, two other officers and reviewing a video of the incident as part an ongoing investigation.