

The Oregonian

Restrict Protests? Where Portland Leaders Stand

By Gordon Friedman

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In response to protests that devolved to bloody street brawls, Mayor Ted Wheeler announced Monday he plans to propose an ordinance allowing new restrictions on demonstrators.

Wheeler's proposed rule would allow him as police commissioner to limit where and when designated groups can demonstrate in certain circumstances. Those include if they have a prior history of violent clashes with another group that plans to protest the same day; or one or more of their members indicate they plan violence; or police obtain credible evidence they are likely to get violent.

The ACLU of Oregon immediately criticized the proposal. The ordinance "raises many constitutional questions," said Mat dos Santos, the group's legal director. "To be clear, we already have laws against street fighting and violence," he said.

Wheeler said he plans to bring the ordinance to the City Council soon. When exactly is unclear, however, and he'll need at least three yes votes to pass it.

Here's where the four other city commissioners stand, according to their statements, which are quoted below:

COMMISSIONER DAN SALTZMAN

"The current situation is untenable and strong action must be taken. With the street brawls and violent scums we have seen occurring in downtown Portland over the past 2 years, action is needed as it is just a matter of time before lives are lost.

I fully support Mayor Wheeler's effort to take this action and believe his proposed ordinance is an excellent proposal to best accommodate public expression and promote order.

The U.S. Supreme Court has repeatedly ruled that local governments may place reasonable restrictions on the time, place, and manner of individual expression and this must be done sooner rather than later.

Let us dispense with long protracted debates that will consume a lot of oxygen and lead us nowhere. Let's take this reasonable action to protect all who live work and play in Portland."

COMMISSIONER NICK FISH

"We all want to live in a community that is safe for peaceful demonstrations. And I agree that recent behavior on our streets has been unacceptable.

It's possible that we need another tool in our toolkit to ensure safety in our public spaces. And time, place, manner regulations may be the right approach.

However, I have a number of legal and policy questions about the proposal, which I intend to raise with the mayor and the city attorney.

I look forward to a broader discussion with my colleagues and key stakeholders before we take any further action."

COMMISSIONER AMANDA FRITZ

“Portland is a community that values civic engagement and is renowned for vigorous expression of opinions in public. The ongoing violence occurring between opposing groups on our streets is not acceptable. In addition to the impacts on downtown residents, visitors, and businesses, violent protests pull Portland police officers from vital work in neighborhoods throughout the city, endangering vulnerable populations.

I appreciate that Mayor Wheeler has invited the Council to set policy on how to address escalating conflict between demonstrators. Any solution must be developed with community input – this is a community issue, and Portlanders are vital stakeholders whose rights and opinions must be considered. The city is responsible for the safety of all Portlanders. We must end these confrontations without damaging free speech and assembly rights guaranteed in the state and federal constitutions.

I ... met with the City Attorney’s Office ... I will work collaboratively with the mayor and the rest of Council to ensure that we pursue a policy solution that is constitutional, enforceable, accountable, and addresses the needs of our community. While I hope we can find a solution that all of Council can support as early as next Wednesday, I believe the process of reaching that outcome will be crucial to the policy’s success.”

COMMISSIONER CHLOE EUDALY

“I share the mayor’s concern and the public’s frustration with these violent and disruptive demonstrations. However, as a strong advocate for freedom of speech, expression, and assembly, I am very reluctant to support a policy that could infringe in any way on these essential constitutional rights.

I do agree that we need to create a strategy to prevent groups intent on spreading fear in and provoking violence from harming our residents and disrupting and doing damage to our city. There is a legitimate balance to be struck between public safety and free speech. In my view, this begins with an acknowledgment that in our city, although our policies must be content-neutral, it is far-right extremists and hate groups who are necessitating these measures.

I look forward to a thoughtful discussion with advocates and community members as well as my colleagues to ensure we are taking all critical concerns into account and that we come up with the best policies to manage the unique challenges we are facing as a city.”

The Portland Observer

Advocating Tenants’ Rights

*By Danny Peterson
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Security deposit, screening and other reforms urged

Several community organizations representing Portland tenants and communities of color have united to ask Portland city officials to address housing discrimination and the disparate treatment of renters from marginalized groups. The goal is to provide more access to housing for people who currently face huge obstacles to finding a house or apartment to rent.

Spearheaded by the Community Alliance of Tenants, a statewide social justice organization, and co-signed by the Urban League of Portland, Portland Community Reinvestment Initiatives, and

Unite Oregon, among others, the housing advocates sent their request last week to Mayor Ted Wheeler and the City Council citing the harm that current housing policies by landlords, such as screening criteria, high security deposits, and predatory credit practices, cause African American, Latino, and other communities of color.

Citing a Portland Housing Bureau report that showed that communities of color are more likely to be barred from housing access in the city, the tenant advocates pointed to Fair Housing testing reports that showed discrimination against people of color was prevalent at each stage in the Portland rental market, from receiving preliminary information about an apartment, all the way to when they moved out.

In some of the worst cases, "We've heard of situations where people have been unfairly screened out or told that a property isn't available because of what they look like or what language they speak. Whereas somebody who has the same qualifications will probably walk in, that is a white tenant, and not experience the same kind of questioning or same kind of resistance," Community Alliance of Tenants Executive Director Katrina Holland told the Portland Observer.

The community advocates say the roots of these issues are deeply entrenched in both intentional and unintentional discriminatory practices. As contributors to the problem, they cite a broken criminal justice system and a housing industry that has often devalued diverse cultures and ways of life.

By adopting new policies that champion housing equity and increase fair housing choices, the city will get families off the streets, according to the aligned groups. The housing advocates want prohibitions against denying housing based on citizenship status, being screened out of consideration for a rental for not making an income 3 to 3.5 times the rent, and being denied housing due to criminal history when there's racial profiling and an over-representation of communities of color in the criminal justice system.

If a person is stable for six months to a year after being incarcerated, for example, they're not likely to go back to jail, data shows, but they do often routinely get denied housing, Holland said.

Astronomical initial housing fees in the form of security deposits, some of which are higher due to poor credit history, were also singled out. In addition, Holland said communities of color are also disproportionately impacted by predatory lending, leading in many cases to a poor credit score or bankruptcy and subsequent denial of housing.

Discriminatory assumptions about normal wear and tear of apartments, and subsequent denial of tenants' receiving their security deposits back, were also mentioned as major issues.

The organizations have been working with Portland City Commissioner Chloe Eudaly's office to craft more equitable screening criteria and security deposit ordinances in Portland. They urge Mayor Wheeler and the other city councilors to support Eudaly in that process, and as soon as possible.

"Advancing strong local security deposit and screening criteria legislation will help combat these legal loopholes for extremely subjective and often, discriminatory private market practices allowed under current landlord-tenant law," the housing advocates claim.

The proposed reforms are part of an over-arching effort by the Community Alliance of Tenants to empower tenants through education, organizing, and advocacy. It's also part of an ongoing effort to pass laws advocating tenants' rights across the county and state.

Holland said the Community Alliance of Tenants operates under some assumptions that should be better reflected in the law, such that housing should be a human right, the relationship

between landlords and tenants should be mutually beneficial, and tenants' should have the right to protect themselves without being penalized.

"If we really want to talk about getting people off the streets, we have to be comprehensive in our approach. So sure, we can build housing. Yes, we can talk about rent stabilization. Yes, we can preserve affordable housing. Yes, we can definitely talk about no cause evictions. We also need to talk about housing access, how people are going to get into these new units or get into these existing units. And right now that's a problem, we got to fix it," Holland said.

Many low-income people, including people of color, those with disabilities, immigrants, refugees, seniors, young adults, and parents find it difficult to find and afford a place to live. Some have had to forgo basic necessities like food and medicine, been forced to move away from their family members and neighbors to find housing, or have even become houseless.

In Gresham, a coalition of housing organizations and community members called Gresham Housing for the People has also been participating in an ongoing push for renters' rights and stable housing.

Holding rallies, testifying at Gresham City Council meetings and other actions have raised awareness in Gresham and east Multnomah County about needed tenant protections, some of which were adopted in Portland, such as a 90-day required notice for no-cause evictions and relocation assistance for tenants who receive a non-cause eviction or significant rent increase.

Back in March, Portland City Council made permanent a renter protection policy originally adopted two years earlier that requires landlords to pay relocation costs ranging from \$2,900 to \$4,500 to tenants who received a no-cause eviction or received a rent increase of more than 10 percent in one year.