

The Oregonian

Portland City Council Likely to Restrict Use of Plastic Straws

*By Gordon Friedman
November 10, 2018*

The Portland City Council is scheduled to vote Wednesday on an ordinance that would make plastic straws and utensils available by request only citywide.

Officials at Portland's Bureau of Planning and Sustainability came up with the proposal after the City Council directed them to in June, citing environmental damage caused by single-used plastics. To do that the bureau conducted a survey and convened a focus group with restaurateurs, business owners, a medical facility, people with disabilities and environmental advocates.

The group recommended against an outright ban to single-use plastics because some people with disabilities rely on them to drink. It settled instead on the by-request policy to be considered Wednesday. If adopted, the new rules would take effect July 1, 2019.

Portland has a long history of limiting the use of polluting products. It has restricted use of Styrofoam containers since 1990 and added a plastic bag ban in 2011.

The Portland Tribune

City Council Considers Plastic Straw Ban on Wednesday

November 11, 2018

Portland may need to 'stop sucking' if a proposal to limit use of plastic straws is passed.

The worldwide environmental campaign to ban single-use plastic straws arrives at the Portland City Council on Wednesday.

City leaders will consider a new ordinance placing restrictions on those straws, as well as condiments packaged in plastic.

Portland, city commissioners are slated to vote on a proposal advance by Mayor Ted Wheeler that would make plastic straws available only upon request by customers. City officials decided that was essential because some people with disabilities may require a straw to drink a beverage.

In addition, food and beverage establishments, as well as institutional cafeterias, would have to ask customers if they want to receive plastic utensils and condiments packaged in plastic with their orders.

That includes single-serving plastic packaging for ketchup, mustard, relish, mayonnaise, hot sauce, coffee creamer, salad dressing, jelly and jam and soy sauce.

The City Council will consider the proposal at 2:15 p.m. Wednesday.

A national social media campaign called "Stop Sucking" and a documentary called "Straws" have been drawing attention to the damage even tiny pieces of plastic can do to the environment.

Some pieces of plastic have gotten embedded in the nostrils of sea turtles. Malibu, California has already issued an outright ban on plastic straws, stirring sticks, forks, spoons and knives.

Willamette Week

Portland Mayor Ends Hope of Wapato Jail Being Used as a Shelter or Treatment Center

*By Rachel Monahan
November 9, 2018*

The plan for Wapato is dead again.

Portland Mayor Ted Wheeler has told the developer who bought Wapato Jail that he does not see a way to use the never-used building as a treatment facility or a homeless shelter.

That answer all but finishes off hope of reviving the idea.

The news comes after the Nov. 6 election, in which Republican gubernatorial candidate Knute Buehler and Portland City Council candidate Loretta Smith, the two candidates to run high-profile campaigns supporting Wapato as a homeless shelter, both lost.

Real-estate magnate Jordan Schnitzer, whose company Harsch Investment Properties bought Wapato after the county sold it earlier this year, has been waiting on a plan from developers, nonprofits and the city on how to use the facility to fight homelessness. But he said in October that if local governments didn't step in, he would demolish the structure.

He filed for a demolition permit on November 1, Oregon Public Broadcasting reported Wednesday.

The prospect of preventing the building from being demolished appears dead if the mayor is unwilling to invest public funds.

The mayor's office tells WW that Wheeler called Schnitzer before the election and told him, "Don't wait on me for that idea."

Wheeler's chief of staff Michael Cox says Wapato was briefly part of the mayor's considerations for how to connect people with addiction and mental health problems crises with services, instead of facing interactions with police.

Wheeler convened experts on the issue, and Wapato "didn't figure into the two-hour discussion," Cox says.

"We're going to continue working through this issue," Cox says Wheeler told Schnitzer. "Wapato is not going figure in that discussion."

Schnitzer did not return a call seeking comment.

There have been signs this has been coming. Earlier this week, the leaders of the Oregon Harbor of Hope said they were still working on a plan to fund the Wapato project.

But when told of the mayor's comments by WW tonight, developer Homer Williams said it wasn't entirely unexpected.

"It doesn't surprise me," says Williams, declining to elaborate. "It's better that I don't comment."

Portland Commissioner-Elect Jo Ann Hardesty Has Picked Some of Her Staff

*By Rachel Monahan
November 9, 2018*

Three days after the election, Portland City Commissioner-elect Jo Ann Hardesty has already made some key staffing decisions.

Two key campaign staffers will join her at City Council.

Karly Edwards, Hardesty's campaign chair, who comes from labor union work and currently works for the Oregon Nurses' Association, will be her chief of staff. Edwards is currently on the Oregon Ethics Commission and was formerly the state director of the Working Families Party, a left-wing minor party. Before that, she was executive director of Portland Jobs with Justice, a nonprofit advocacy organization.

It's a notable hire in part because of financial-reporting problems during Hardesty's leadership of the NAACP of Portland. Hardesty pledged to have professional staff at City Council that would help guide her work in managing bureaus.

Edwards says Hardesty is also looking at hiring a financial policy adviser.

Matt McNally, who was the field director on Hardesty's campaign, will also join the City Council staff. He has previously worked for the Oregon AFL-CIO, Planned Parenthood, and the national Bernie Sanders campaign.

Hardesty is hiring office manager Lyne Martin from the office of the commissioner she is replacing, Dan Saltzman.

(Hardesty's campaign manager Anna Nguyen will join U.S. Congressman Earl Blumenauer's staff as communications director.)

"The mandate Portland showed in my decisive victory and the passage of both the Honest Elections and Portland Clean Energy Fund shows the eagerness Portlanders are for a bold progressive future at City Hall," says Hardesty in a statement. "My team and I have been preparing for leadership for the last year, and we are ready to do the work our community is asking of us."

Hardesty will enter City Hall in January.

The Portland Mercury

City Commissioners, Lawyers Denounce Mayor's Proposed Protest Rules

*By Alex Zielinski
November 9, 2018*

It didn't take long before Thursday's public hearing on a proposed city ordinance, meant to address violence between groups of protesters in Portland, shifted to a discussion on police conduct.

“We urge the council to reject this ordinance and understand that the community has been shocked and injured by the actions of the Portland Police Bureau at these protests,” said Beth Wooten, who testified before council on behalf of the Portland National Lawyers Guild.

The ordinance, penned by Mayor Ted Wheeler, attempts to limit the number of violent clashes between right-wing and left-wing protesters by restricting the location, duration, and size of protests that are expected to turn violent based on that group’s history.

The proposal says that judgement call, which can be based on a person or group’s social media presence, is solely up to the acting police commissioner. Wheeler currently holds that role. There is no process included in the ordinance that would allow demonstrators to appeal this decision before it impacts their protest.

Wooten’s opposition to the ordinance was echoed by civil rights lawyers, longtime local activists, and elected city officials during Thursday’s 3-hour-long meeting.

“There have been many instances of the safety of our community being endangered by police response to protest,” said Kimberly McCullough, legislative director of the ACLU of Oregon.

“If we’re serious about addressing the safety of communities, we need to talk about the use of crowd control weapons, what sort of de-escalation techniques we’re using, and what kind of training law enforcement have to actually respond to protests in a peaceful manner,” she said.

Several of the city’s recent protests have left more attendees injured by police use of force than from interactions with counter-protesters.

Speakers’ concerns weren’t limited to how Wheeler’s proposed ordinance ignored police conduct at protests. Others argued that Wheeler’s new rules will support the goals of right-wing extremist groups, fuel hate speech, discourage peaceful protests, and generally limit Portlanders’ First Amendment rights.

“As I see a rise of white nationalists in this city, for the first time in my life I am fearful when a pickup truck with an American flag rolls up near me. I am looking for exits,” said city commissioner-elect Jo Ann Hardesty. “We are a city known for protest. It is our obligation to stand up against hate.”

Hardesty said if this type of ordinance existed in the 1960s, it could have restricted the powerful protests of African Americans challenging institutionalized racism.

Commissioner Chloe Eudaly used a hypothetical scenario to illustrate the ordinance’s potential limitations to free speech.

“A right wing extremist group is coming to our city to hold a rally. I’m organizing a counter-protest,” Eudaly said. “I’ve never engaged in violent protest, but a group that the city has decided has engaged in violent protest attaches themselves to my event. So would my ability to hold my counter protest [be impacted] by this ordinance?”

Deputy City Attorney Robert Taylor said that yes, if those protesters with a violent history joined in, it would.

Eudaly used her time to press the Portland Police Bureau’s top brass—including Chief Danielle Outlaw and Deputy Chief Bob Day—on questions regarding their perceived preferential treatment of right-wing extremist groups, like Vancouver’s Patriot Prayer, at recent Portland protests. These perceptions were outlined in a city report by the Independent Police Review (IPR) office earlier this year.

Eudaly asked why PPB appeared to only ask left-wing protesters to disperse during a protest after it turned violent.

“We could not agree or disagree with that statement, because I can’t speak to every action that occurred,” Day replied.

Eudaly pressed on: “Why aren’t these right-wing extremist groups being treated like gangs?”

“Well, investigations are based upon behaviors,” Day responded. “I can tell you we are looking at behaviors of all groups, regardless of their behavior.”

Eudaly submitted a list of nearly 50 specific, related questions to PPB for the bureau to answer in writing. She said their responses would be made public.

Most of Thursday’s testimony before council centered on one overarching question: Why do we need this ordinance?

“We are hard pressed to see how this will actually prevent violence from occurring or reduce use of law enforcement resources and police,” said the ACLU’s McCullough.

She listed a number of tools the police bureau can already legally use to restrict violence at protests, like restraining orders against violent protesters or probation rules that could restrict people convicted of assault from attending a protest.

“When people commit acts of violence, there are already ways to hold them accountable,” McCullough said. “And those accountability measures actually can prevent future violence.”

These tools, she noted, do not place sweeping restrictions on Portlanders' ability to practice free speech.

Wheeler unveiled the ordinance on Oct. 15, days after several national media outlets ran stories criticizing his ability to control violent protests. He did not allow city commissioners to give feedback on the controversial ordinance before making it public.

In an interview earlier this week, Wheeler told the Mercury the proposed rules were a response to an uptick in violent protests in Portland. Wheeler did not offer data to support this claim

“I don't have a scientific study, but I think if you did a quick Google search you'll see that just over the course of the last six months the number and frequency of violent interactions on our street has increased substantially,” Wheeler said, and then referenced a recent CBS segment that aired footage of a violent protests.

Portland Police Chief Danielle Outlaw, who also testified Thursday, said that protests have demanded outsized police resources, costing the bureau nearly \$3 million in overtime costs since 2016 and keeping officers from responding to crimes in other parts of town.

Only a few people testified in support of the ordinance, including Democratic state Representative Janelle Bynum. Bynum said she had concerns about the constitutionality of the proposal, but was worried large protests would continue to unfairly divert police resources away from the East Portland district she represents.

Representatives from the Portland Business Alliance and Travel Oregon said the recent headline-grabbing protests have concerned local businesses and had an impact on tourism.

The ACLU of Oregon is one of several groups who’ve suggested they’ll file a lawsuit against the city if the ordinance is passed as-is. McCullough asked council why costly litigation is worth the ordinance’s passage, especially when these groups are willing to work with the city to flesh out a more constitutional solution.

“There are a lot of things our community needs our time and resources for. Instead of diverting those resources into legal battles, we should be working together to create tangible changes that will truly help protect our communities,” she said. “I think it’s better for us all to be partners. I think we can work collaboratively to try to figure out something that doesn’t end us up in court, fighting each other there.”

Asked by Commissioner Nick Fish if there were any tweaks the council could make to the current proposal to avoid legal hangups, McCullough put it bluntly: “I don’t think this ordinance can be fixed.”

Fish is the only city commissioner who hasn’t taken a clear stance on Wheeler’s ordinance, and will be the swing vote that determines its fate.

Commissioners Amanda Fritz and Eudaly have said they plan to vote against the proposal, while Wheeler and Commissioner Dan Saltzman want to see it succeed. Judging by his questions pitched to McCullough and Taylor Thursday, it’s still not clear where Fish’s vote will fall.

Wheeler has scheduled the ordinance for a second reading and vote before council next Wednesday. But, if he doesn’t have Fish’s vote, Wheeler could still pull it from the agenda.

Wooten, with the National Lawyer's Guild, ended her testimony Thursday with a warning: This isn't going to stop groups like Patriot Prayer, led by conservative rabble-rouser Joey Gibson, from finding a way to protest in Portland. This ordinance is only proof, she said, that Portland can bend to the fear-mongering perpetuated by these fringe organizations.

“This is precisely what Joey Gibson wants,” Wooten said. “Patriot Prayer wants the city to scramble every and any time he makes a peep on social media.”

City's "Spirit of Portland" Recipient Declines Award Over Mayor's Protest Ordinance

*By Alex Zielinski
November 21, 2018*

On Tuesday evening, the city will dole out its annual "Spirit of Portland" awards to a select group of individuals and organizations that city commissioners believe embody the city's values. One of those recipients is Bobbin Singh, founder and director of the Oregon Justice Resource Center, a civil rights advocacy group based in Portland. But Singh won't be in attendance tomorrow night.

"While I was incredibly honored to be chosen for this award, it doesn't feel appropriate to accept when the city lacks a true commitment to civil rights," said Singh.

Singh declined the award Thursday evening, just hours after the Portland City Council wrapped up a 3-hour-long public hearing on Mayor Ted Wheeler's new proposal to restrict protests that take place in Portland. Wheeler's proposed ordinance would limit the movement, size, and duration of protests organized by groups who have a proven history of violence. The council is slated to vote on the ordinance this Wednesday.

Like other civil rights organizations and constitutional lawyers in Portland, Singh believes Wheeler's proposed ordinance restricts Portlanders' ability to exercise free speech—while ignoring the rise of right-wing extremist groups, like Vancouver's Patriot Prayer, who bring violence and hate to the streets of Portland.

"If we're serious about combating hate in this community, we need to be talking in a more complex and nuanced way about the value system the city's supporting by allowing groups like Patriot Prayer into our city," Singh said.

He likened Wheeler's decision to mislead the public about these protests to how the federal government has downplayed the threat of white supremacy in the US.

"We're starting to mimic national solutions at the local level," Singh said, noting the city's way of equating Patriot Prayer's actions to those of local counter-protesters. "At this time in history, you have to stand up for something or you have to get out of the way."

The ACLU of Oregon and the Portland chapter of the National Lawyer's Guild have both spoken out in opposition to this restrictive ordinance, and have promised to sue if it's approved by city council this week. Singh said he's "befuddled" by the city's decision to ignore the the warnings of these two organizations.

"There's very few times that these civil rights groups come out on the wrong side of history," Singh notes. "It doesn't feel like the city is taking them seriously."

In an interview with the Mercury last week, Wheeler said the ACLU was "chomping at the bit" to sue the city over this ordinance.

Yet, in her Thursday testimony before council, ACLU of Oregon legislative director Kimberly McCullough said she'd prefer the city and ACLU work together to create a more robust (and constitutional) policy—instead of having to battle it out in court.

Singh was nominated to receive the Spirt of Portland award by Commissioner Nick Fish, the one member of city council who hasn't made his stance on Wheeler's proposal clear. He's expected to be the swing vote at the Wednesday meeting. Singh hopes his message encourages Fish to truly consider the gravity of this decision.

"If the city wants to give out awards that represent the ideals of the city, the city needs to commit to those ideals they say they embrace," Singh said.