

The Oregonian

Portland Commissioner: ‘White Male Privilege’ Enables City Hall Disrupters

*By Gordon Friedman
January 16, 2019*

In a statement issued late Tuesday night, Portland Commissioner Jo Ann Hardesty said “white male privilege” empowers a small band of men who regularly disrupt City Council meetings and drive visitors away.

“I am concerned about how privilege and, specifically white male privilege, is limiting the public’s access to City Hall,” Hardesty said.

She rebuked the men she said are disruptive, disrespectful and self-centered.

Their outbursts come like clockwork.

Nearly every council meeting is halted by a handful of men who call themselves “cop watchers” or citizen journalists. They shout about the police department or ramble on about actions they say are corrupt. They also videotape themselves and the commissioners and refuse to leave when asked. They later post their camera footage to social media websites.

Sometimes the so-called cop watchers take their activism beyond City Hall.

Two of the men have showed up at the homes of Mayor Ted Wheeler, Police Chief Danielle Outlaw and District Attorney Rod Underhill to videotape them. Other times they follow officials to their personal cars or offices. One was later jailed and accused of violating a stalking order to stay away from the chief.

By issuing her statement, Hardesty, in her third week as a city commissioner, is taking a different tack than her council colleagues. The others mostly ignore the disrupters, or at least try to.

Hardesty said she is all ears if the men have policy proposals. But she implored them to stop hijacking council meetings.

The interruptions frighten people and lead others to stay away from City Hall, Hardesty said.

“I find it chilling and disrespectful that there are a few white men who think that everything this council does is about them. It isn’t,” said Hardesty, who is the first African American woman to sit on the council.

She implored other white people who attend council meetings to intervene and stop “those who seek to drown out the voices of others.”

“Civic discourse cannot thrive if it is not coupled with civility and respect for all others,” she said.

Willamette Week

Portland City Hall Is Struggling to Investigate Police Use of Flash-Bangs at Aug. 4 Protest as the Alleged Victim Balks at Questions

By Katie Shepherd

January 16, 2019

"Frankly, this is starting to sound like victim shaming," says Juan Chavez, attorney for a protester injured by police munitions.

The City of Portland is struggling to investigate whether police acted appropriately on Aug. 4 when they fired flash bang explosives to disperse a crowd of protesters on SW Naito Parkway. That struggle is in part because the agency that investigates police misconduct has drawn suspicion from those injured by police.

The Independent Police Review sent a list of 30 questions to Aaron Anthony Cantu, a protester who says a flash bang penetrated his bike helmet, leaving him with a brain hemorrhage that had to be drained through a tube at the hospital.

But Cantu and his attorneys will not answer the questions, which they say read like an insurance adjuster's questionnaire.

"The questions they asked speak for themselves, and they are focused on the city's liability—not independent police review," says Juan Chavez, one of the lawyers representing Cantu.

The questions include inquiries about the number of explosions Cantu heard before being hit, where police were when the flash bang explosives were fired, and who Cantu had been protesting with at the time. Several questions dwell on Cantu's injuries and medical treatment. IPR asks in three different questions how the aerial distraction device punctured the helmet's shell: "Did the detonation of the ADD cause the body of that ADD to become embedded into the helmet?" "Did you embed the ADD body into the helmet?" "Did anyone else embed the ADD body into the helmet?"

Fellow protesters posted photos of the damaged helmet and Cantu's wounds in the days after the Aug. 4 protest. The Oregonian interviewed Cantu several days later and published more photos of his injuries and the helmet.

But IPR and the Portland Police Bureau did not identify Cantu until he filed a tort claim against the city in September.

The director of IPR says the investigation into possible police misconduct has been hampered by a lack of cooperation from Cantu and his attorneys.

"The lack of cooperation heretofore by the complainant's legal counsel after months of efforts by staff to secure an interview and the release of material related to this investigation prior to the end of IPR's administrative investigation undermines accountability," says IPR director Constantin Severe.

Severe says without cooperation from Cantu, he expects the IPR investigation to close soon.

Cantu's lawyers say IPR's efforts to investigate the incident have fallen short.

"We are ourselves hopeful to find accountability," Chavez says. "If this is how IPR goes about its investigations, it's not surprising we haven't had the police reforms needed to prevent the injury my client suffered on August 4th. Frankly, this is starting to sound like victim shaming."

The Portland Mercury

City Council Approves Low-Income, Supportive Housing in North Portland

*By Alex Zielinski
January 16, 2019*

Families living below the federal poverty line. People with developmental disabilities. Longtime Portlanders who've been displaced from their neighborhood.

Portland's newest affordable housing project manages to address renters who fall into any of these categories. The 60-unit North Portland complex—the \$4.5 million budget for which was approved by city council this morning—will place some of Portland most vulnerable populations under one roof.

"We like to create projects that meet a variety of needs," says Shannon Callahan, director of the Portland Housing Bureau.

Called the North Williams Center, the slated development will occupy land previously owned by Multnomah County along N Williams Ave between NE Thompson and NE Tillamook.

The city will reserve 40 of the building's 60 units for renters who make 30 percent or less than the are median income in the Portland area. Currently, the median annual income for a family of four living in the Portland-Vancouver metro region is \$81,400. A family of four living on 30 percent of that exist on an annual income of \$24,420.

The other 20 units will be earmarked for Portlanders who qualify for the city's "preference policy," which gives rental preference at city-owned residences to people whose families once owned property in North and Northeast Portland—but were displaced by city development projects (looking at you, Memorial Coliseum).

Callahan says that 10 of those total units will be held for renters who would benefit from "supportive housing," a model that pairs specialized supportive services, like mental health and addiction treatment, with low-income housing.

Eighteen of the units will have three bedrooms, a rarity in most affordable housing complexes. At capacity, Callahan says, the new residence could house 194 people.

The development is funded by both public and private dollars. The city's \$4.5 million will come from a pot of money specifically put aside for economic reinvestment into North Portland, an area the city calls the "Interstate Corridor." Construction is slated to begin in March.

"This is part of the city's commitment to North and Northeast Portland," Callahan says. "It's a beautiful development that the community needs and deserves."

Hardesty Says City Council's Regular Interruptors Have a "Chilling Effect" on Civic Engagement

*By Alex Zielinski
January 16, 2019*

Commissioner Jo Ann Hardesty was only five minutes into her first city council meeting on January 2 before it was derailed.

Eli Richey, a city council regular, was yelling at the council dais from the back of the room, airing his grievances about city hall's private security guards. As always, he carried a cell phone to livestream his interactions on social media.

"Mr. Richey, I'm not going to ask you again. Please either stop, or I'm going to ask you to leave," said Mayor Ted Wheeler. A few seconds later, Wheeler called a recess, during which security guards escorted Richey from the council chambers.

Children who had come with their families to witness the historic day—the first council meeting with a Black woman at the dais—giggled or looked wide-eyed at their parents as Richey continued to yell from the sidewalk outside of city hall.

In a press conference held later that day, Hardesty told reporters that she had asked Wheeler if those kind of disruptions were a normal occurrence. "And he said, 'It's every week,'" said Hardesty, shaking her head.

Interruptions and outbursts from community members—who either run over the three minutes allotted to members of the public to speak before council, or aren't signed up to testify—have become a staple of Portland City Council sessions. It's become unusual for a council session to pass without Mayor Ted Wheeler having to pause the meeting while city hall security guards wrangle an irate attendee out of council chambers. And it's often the same two to three people who bring council sessions to a standstill—men like Richey who call themselves "copwatchers" who film city meetings and regularly accuse city officials of specifically targeting them.

In a statement issued Tuesday, the eve of her third city council session, Hardesty called for an end to the constant disruptions that derail and detract from the democratic process.

"I am concerned about how privilege and, specifically white male privilege, is limiting the public's access to city hall." Hardesty said. "This behavior limits access to those entering this building for the very first time or for those who are new to the political process. This is not the spirit of speaking up for civic change that is the heart of activism."

Hardesty points out that the disruptions often are caused by a "small group of white men" who are disrespectful and self-centered. But, she added, she respects their desire to be heard by their elected officials.

"However, their issues and concerns shouldn't drown-out the voices of others who come to this building seeking the same access and opportunity," Hardesty said. "As someone who has spent time a lot of time on the other side of this podium demanding accountability, I find it chilling and disrespectful that there are a few white men who think that everything this council does is about them. It isn't."

Hardesty closed with a call to white Portlanders: "Encouraging other white men and women to check the behavior of those who seek to drown out the voices of others. Civic discourse cannot thrive if it is not coupled with civility and respect for all others."

She's not the only member of city council who's aired concerns with the men who often follow city commissioners around with video cameras, yelling questions. Last week, Commissioner Chloe Eudaly shared a recent interaction with several of them on her Facebook page:

"Today three different people who self-identify as experiencing mental illness showed up at my work and had altercations with staff, security, and other community members," Eudaly wrote. "I was followed, filmed, and loudly harassed for over half a mile while walking to a lunch meeting that I was already late for."

"There are multiple avenues for petitioning your elected representatives and getting your voice heard," she continued. "I don't think following someone down the street, creating a spectacle, causing extreme stress, and disrupting pedestrians is one of them."

It's an issue city council has tried, unsuccessfully, to address in the past. In 2015, former Mayor Charlie Hales banned council regular Joe Walsh from attending council sessions for a series of months. Walsh sued the city for violating his first amendment rights, and won. This recent loss might give Wheeler (and the city attorney's office) pause before trying to limit the council's current interruption problems.

Hardesty plans to publicly address this issue at this morning's city council session.

Thought Police

*By Alex Zielinski
January 17, 2019*

What's Keeping Portland Cops from Helping People In Mental Health Crises?

Sam Rice was always certain of one thing: Police officers were out to kill him.

"I would say, 'Sam, stop talking like that, you know that's not going to happen,'" says Susan Adame, a behavioral support specialist with SL Start, an organization that helps people who have developmental disabilities to live independently. Adame worked closely with Rice, a diagnosed paranoid schizophrenic, in 2018.

"But," she recalls, "he'd always say, 'No, I'm serious. The government wants to get rid of me and the police will be the ones that take me out.'"

On October 10, 2018, Rice opened a bathroom window in an East Portland motel room that he was sharing with his girlfriend, Talon, who asked the Mercury to only use her first name. From the other room, Talon, who has a developmental disability, heard a loud pop pop. Rice, 30, fell to the room's tiled floor with a single bullet hole in his head. He had been fatally shot by a Portland police officer outside the motel, who, informed by witnesses' accounts of an erratic, knife-carrying man, falsely believed Rice was holding Talon hostage.

Because his disease made Rice believe his diagnosis was fictional—a narrative cooked up by a scheming government—Rice refused to take medication or accept mental health treatment. Those who knew him in the year leading up to his death say he was often in a state of psychosis, exacerbated by his use of methamphetamines. Rice's frequent outbursts and paranoia-induced rage made him a regular on the Portland Police Bureau's call log; by the time officers surrounded the Del Rancho Motel in October, they had interacted with the tall, 230-pound man on multiple occasions.

In 2012, after a spate of controversial police shootings, a US Department of Justice (DOJ) investigation into the Portland Police Bureau (PPB) found that Portland police officers had a “pattern or practice” of using excessive and unnecessary force against people with mental illness. As a result, the DOJ sued the City of Portland, prompting the city to draft a settlement agreement that detailed a plan to quickly improve officers’ responses.

Seven years later, Portland is still struggling to improve police interactions with mentally ill Portlanders. In the past year, three of the four people fatally shot by PPB officers—including Rice—were in the midst of apparent mental health crises.

Rice’s story is just one example of how police engage with Portlanders who have severe mental illnesses. But Rice’s repeated encounters with police highlight the problems—and the potential—at the intersection of mental health care and criminal justice.

Rice’s first recorded interaction with Portland police was in 2010, when he was arrested on unknown criminal mischief charges that were later dismissed. In 2011, he was arrested for scratching several cars with a pocketknife in a Gresham neighborhood; at the time, he told the arresting officer he had been “training for the Marines for 12 years.” Rice was never in the military.

Several months later, Rice’s neighbor asked him to turn down the volume on music coming from inside Rice’s Gresham apartment. Rice responded by cutting his neighbor with a knife and running off. He was arrested for attempted assault. In his jail intake form, a physician writes that Rice was “talking erratically... about having 100 kids.” The doctor’s diagnosis: “Depression.” In an affidavit penned before Rice’s trial, a Multnomah County prosecutor noted, “It appeared to [the officer] that the defendant was mentally unstable.”

Rice’s criminal record doesn’t include the handful of times officers tracked him down after receiving calls related to manic behavior but chose not to arrest him.

“The police definitely knew who he was,” says Adame, who Rice often texted when the police showed up. “They had the opportunity to help him, and they didn’t.”

According to police accounts, PPB officers had repeatedly offered to connect Rice with PPB’s Behavioral Health Unit (BHU). Officers working for the BHU, which was created in response to the DOJ settlement agreement, partner with mental health providers to routinely check in with people in the community whom the police regularly receive calls about—usually for issues related to their mental illness. BHU officers try to keep people out of the criminal justice system by connecting them with mental health services.

But since Rice did not believe he was ill, he refused the officers’ referrals. While BHU was aware he had untreated mental health needs, and while they had the resources to get Rice the health care he needed, they couldn’t force Rice to do anything.

After his second arrest, a judge sentenced Rice to 90 days in prison and three years’ probation, which included mandatory mental health treatment and medication. But once Rice was no longer required to take medication, he stopped.

It’s not uncommon for such requirements to prove difficult, or impossible, to enforce. Mental health experts say tasking police officers—figures synonymous with criminal punishment—with convincing someone to accept help doesn’t make much sense.

“It’s an unrealistic expectation for law enforcement to get people into treatment,” says Chris Bouneff, executive director of Oregon’s National Alliance on Mental Illness (NAMI) branch.

That's one of the reasons that local officials, including Mayor Ted Wheeler, have begun discussing the creation of a center open 24-7 where officers can drop off people they've encountered who might need mental health care. Berk Nelson, Wheeler's senior advisor, calls it a "triage center"—a place to meet people "where they're at." Unlike Unity Center, the city's emergency hospital for people in the midst of mental health crises, this drop-off space would be more of a navigation center for people seeking resources for mental health treatment.

Sarah Radcliffe, an attorney with Disability Rights Oregon, believes such a program could fill a critical gap—but only if it's effectively administered.

"It needs to be peer-led by people with lived experiences [of mental illness] to feel like a safe place for people legitimately fearful of hospitals or law enforcement," Radcliffe says.

Currently, Radcliffe adds, when police officers encounter someone with a mental illness who appears to need help, they often only have two options: Take them to a hospital or jail. "I think if police are committed to diverting people with mental illness from the criminal justice system," she says, "this could solve a lot of problems."

The closest Rice got to getting help was last summer, after he threw a cinder block at Ken Hanson's head.

Hanson, the operations director for SL Start, was with a coworker dropping off a new mattress at Rice's apartment on August 3 when Rice unexpectedly began shouting at him, claiming he was conspiring against him. Rice picked up and threw a nearby cinder block at Hanson. Hanson dodged, and the block smashed through his car window. From a car parked behind Hanson's, his terrified coworker called 911.

When Rice was picked up by police, officers took him to a hospital's psychiatric ward, where a doctor placed Rice under involuntary custody—a decision a physician can make if they believe someone's mental health puts them at immediate risk to themselves or others. It's often the only instance when a doctor can require someone to take medication to treat mental illness, and it's the first step toward committing someone in a state psychiatric hospital.

"We were so hopeful," says Hanson of the intervention. Rice's family and Talon had also tried to convince Rice to take medication in the past, with no luck.

But the hospital released Rice within a few days, after Rice told his doctor he was just coming down from a meth high.

"It was so frustrating," says Hanson. "He had been diagnosed as a paranoid schizophrenic, but the doctor didn't have access to that information. So they let him go."

It's equally frustrating for those tasked with choosing to commit a patient to mental health care. Psychiatric doctors are paired with county mental health experts and are only given a five-day window to diagnose a patient before they must prove to a judge why a person should be committed—otherwise, they're required to release the patient. With such a short timeframe, doctors and state investigators can miss clues that signal serious mental illness.

"Oregon views civil commitment as a removal of your civil rights, and they clearly and understandably take that seriously," says Bill Osborne, who has worked for Multnomah County's involuntary commitment program for years. "But the burden of proof is so high, it sometimes keeps people from receiving the treatment they need."

In Oregon, a judge can only approve a commitment case if county investigators can prove a patient is at imminent risk of dying, either by suicide or by lacking the mental capacity to care for themselves. This can be an impossible task; Osborne says his investigators end up only taking

about 8 percent of all patients placed on involuntary hold before a judge. The rest are allowed to leave the hospital.

It's not unusual for people to be placed under involuntary custody, analyzed, and then released again and again—never deemed ill enough to be committed, and never connected to mental health services.

Osborne says this cycle is “hard to watch.”

Oregon's state legislature may be able to help. Senator Floyd Prozanski is currently drafting a bill for the 2019 legislature that would expand the number of days a state investigator has to analyze someone in involuntary custody.

Rice's final arrest was last August, when he was accused of damaging bank property on Southeast Powell. After Rice failed to appear for a related court hearing, a judge sent out a warrant for his arrest. Around the same time, Rice moved into Room 106 at the Del Rancho Motel. Rice and Talon had recently been evicted for having the police called to their apartment too frequently, according to Hanson.

Officers were called to the 82nd Avenue motel after a 7-Eleven employee called 911, claiming Rice had threatened another customer with a knife. Talon, who was with Rice at the convenience store across the street from the Del Rancho, says she and Rice headed back to their motel room when the employee called the police. At least one person who saw Rice and Talon enter the room was under the impression that Talon had been brought there against her will, telling officers as much when they arrived at the scene.

In police reports, officers said Rice yelled at them from behind the door of Room 16 that if they came inside, “she will die.”

Talon told the Mercury that Rice also believed the police wanted to kill her—and considered it his job to protect her. “I always felt safe with Sam,” she said. “He never tried to hurt me.”

But in the eyes of PPB, this was a hostage scenario. Snipers trained in active shooter and hostage situations surrounded the motel. When Rice opened a bathroom window, PPB Officer Kelly VanBlokland fired one shot, striking Rice in the head.

Talon's recollection of the morning doesn't align with the scant information PPB officers have made public about Rice's death. Talon says that, until Rice was shot, she was oblivious to the fact that there were police outside the motel. She remembers taking a shower that morning, getting dressed in the bedroom, and hearing Rice complain that her shower had fogged up the mirror. Then he opened the bathroom window.

There are many ways Rice's story could have ended.

En route to the Del Rancho Motel, officers contacted Project Respond, a team of 20 mental health clinicians with Cascadia Behavioral Health. PPB often calls Project Respond to assist in situations that involve someone who might be having a mental health crisis, with the aim of connecting them to community resources. Officers regularly show up at a scene and wait for Project Respond to arrive before engaging with a person in crisis. In Rice's case, however, officers didn't wait to shoot a man they believed was homicidal.

According to SL Start's Hanson, who picked Talon up after the shooting, Rice was dead by the time Project Respond staff arrived at the motel.

That disconnect is part of why City Commissioner Jo Ann Hardesty has prioritized an overhaul to Portland's 911 call center in her first year in office.

Hardesty, the newest commissioner in charge of Portland's Bureau of Emergency Communications, wants to rework the city's 911 call center to reroute any calls related to a mental health crisis to a clinician like those with Project Respond. Instead of treating someone in crisis like a criminal, these responders would treat them like a patient in an emergency room.

"We have to step back and realize that our emergency response system includes much more than police officers," Hardesty says. "There's a role for police in our community, but that's not addressing people with mental health issues."

A failed police intervention with a mentally ill person also fails those left behind. Following Rice's death, Talon, who has since moved into her own apartment, has been hesitant to return to her job. Her experience testifying in the grand jury trial against VanBlokland was frightening, she says, especially since it meant sitting in a room with the officers involved in Rice's death.

"She said she doesn't want to talk about it anymore. She said nobody cares," says ST Starts' Adame, who tries to check in with Talon on a daily basis. "To be honest, I have a hard time changing her mind."

Asked if she was surprised that VanBlokland was cleared of any criminal charges, Talon answers bluntly: "No."

OPB

White Male Privilege Disrupting Portland City Council Meetings, Commissioner Says

*By Amelia Templeton
January 16, 2019*

Two weeks into her term, Portland Commissioner Jo Ann Hardesty says a small group of disruptive white men are frightening people away from participating at City Hall.

"I am concerned about how privilege, and specifically white male privilege, is limiting the public's access to City Hall," she said in a written statement sent out Tuesday night that she also read at Wednesday's meeting. "There's a chilling effect on persons who are unaccustomed to coming to City Hall to have their voices heard when they see and experience the disruption that seems to be the new normal."

Though Hardesty did not identify anyone by name, several men who identify as police observers — "cop watchers" is a term they use for themselves — and citizen journalists have disrupted Portland City Council meetings in the weeks since she took office.

The men are not affiliated with the better-known grassroots police reform organization Portland Copwatch, and two have been subject to stalking orders for harassing city officials.

Every member of the city council has complained about the disruptions, and now-former Commissioner Dan Saltzman said they contributed to his decision not to run for re-election.

Hardesty's rebuke is notable because of her own grassroots credentials and history of activism on two issues the disruptive men frequently claim they are addressing: homelessness and police accountability.

Hardesty is the first African-American woman to serve on Portland City Council. She spent years as a civil-rights activist before winning her council seat in November.

“As someone who has spent time — a lot of time — on the other side of this podium demanding accountability, I find it chilling and disrespectful that there are a few white men who think that everything this council does is about them,” she said. “It isn’t.”

She called the disruptions “not in the spirit of speaking up for civic change that is the heart of activism.”

Hardesty says the hostile atmosphere at the council is stopping people new to the political process from getting involved and preventing parents from bringing their children to participate in the city council.

In a city known for vibrant and unruly activism, the Portland council has long struggled to strike a balance between preserving order during council meetings and its obligation, rooted in the First Amendment, to hear criticism and dissent. In 2015, after an activist sued, a federal judge ruled that the city’s policy of barring particularly disruptive people from council meetings for months at a time was unconstitutional.

When Mayor Ted Wheeler took office, he passed an ordinance that clarified what type of behavior could lead to an extended exclusion from City Hall. That policy has yet to be challenged in court.

Shortly after Hardesty’s swearing-in on Jan. 2, 2019, the City Council meeting was forced into recess twice while Wheeler expelled people for disrupting the proceedings.

Cop watcher Eli Richey was excluded from council that day for interrupting and yelling.

Richey has frequently tangled with city officials. In 2017, a judge granted Police Chief Danielle Outlaw a stalking protective order against him after he filmed her while she was off-duty shopping at Safeway.

Activist David Kif Davis has also been disruptive at recent council meetings as well. Kif Davis films the council during his testimony and posts the videos to a YouTube channel.

“You remember Jeffrey Dahmer? He didn’t set out to kill so many people,” he said in testimony before the council on Jan. 2, 2019. “This is how politicians work. They drill a hole in the voters’ skull and pour in some false hope and make them a subservient zombie slave.

“You guys are all serial killers,” he concluded, shortly before the meeting was again called into recess.

In 2017, Kif Davis was temporarily barred from entering City Hall by a judge’s protective order after he challenged a City Hall employee to a fight. That protective order has expired. In past public meetings, Kif Davis has self-identified as living with mental illness.

A group of white men also disrupted Hardesty’s second council meeting, including free speech activist Joe Walsh, who began shouting and using profanity and forced the meeting into recess a few minutes after it started.

At Wednesday’s meeting, other council members echoed Hardesty’s worries:

“We often hear from our employees,” Commissioner Nick Fish said. “This is a building where lots of people work. We have witnessed significant disruption. People have told us that increasingly they don’t feel safe and welcome in their own workplace.”

“There are plenty of opportunities for people to have their voice heard in this chamber,” the mayor said. “What we have witnessed in this chamber ... has no place in this chamber.”

Additional Reading

Portland, Ore., Tackles Untested Sexual Assault Kits with Tech