

The Oregonian

Text Messages Between Patriot Prayer leader, Portland Cop, Spur Calls for Investigation

February 14, 2019

Text messages between a Portland police lieutenant and Joey Gibson, the leader of right-wing group Patriot Prayer, in 2017 and 2018 show the officer provided Gibson a heads-up on counterprotesters' movements during demonstrations and warned Gibson to tell group members with active warrants to avoid drawing police attention, revelations that spurred two city leaders to call for an inquiry.

Hundreds of texts, reported Thursday by Willamette Week and the Portland Mercury and later released on the Portland Police Bureau's website, show a friendly rapport between Gibson and Lt. Jeff Niiya, a more-than-20-year member of the Portland Police Bureau. He routinely reaches out to protest leaders to learn what officers should expect during demonstrations. But the exchanges between Niiya and Gibson appear to echo concerns of critics who believe the Portland Police Bureau protects Patriot Prayer members and their affiliates during city demonstrations that often turn violent, and targets people opposing them.

Some incidents cited by critics include several anti-fascist demonstrators being injured by flash-bang grenades released by Portland officers during an Aug. 4, 2018, protest of a Patriot Prayer rally in downtown Portland.

Before that protest, Niiya texted Gibson that officers would move to keep Patriot Prayer members separated from people opposing them.

"No patriots going to them no Antifa to you," Niiya wrote. "If they get close we will be in between."

Some of the texts show Niiya told Gibson where opposing groups were holding protests, whether or not they were linked to a Patriot Prayer demonstration, Willamette Week reported.

In one message, Niiya alerted Gibson that several antifa members were heading toward him during a Dec. 23, 2017, protest. The Mercury reported Niiya said, "we will have officers nearby but you may want to think about moving soon if more come."

Gibson often texted Niiya and asked him to investigate people based on videos made by the group or comments left on Patriot Prayer's Facebook page, The Mercury reported. It's not clear if police investigated anyone at Gibson's suggestion.

Texts also show Gibson revealed plans to run for U.S. Congress representing Washington before he formally announced his candidacy publicly.

"(You're) running for office?!?" Niiya said. "Good for you. County level?"

Gibson replied that he was running for Senate and it would "take a miracle for me to win but people are backing me so we will see what happens."

"I will be using Portland and Seattle protesters as a part of the campaign so it will impact you guys unfortunately, so I (apologize) now ahead of time."

[DOCUMENTS: EMAILS AND TEXT MESSAGES BETWEEN PORTLAND POLICE LIEUTENANT AND JOEY GIBSON](#)

It's unknown if Niiya has similar rapport with anyone affiliated with groups that oppose Patriot Prayer. He exchanged hundreds of texts in 2017 with activist June Davies, who at times marched alongside antifa.

Davies at times asked Niiya about friends arrested or under investigation and discussed police presence at activist events, The Oregonian/OregonLive found. Portland police said in 2017 that officers routinely communicate with organizers and activists to determine appropriate police response.

"We don't take sides in these conflicts," Niiya told The Oregonian/OregonLive in 2017. "I don't like us standing between the two groups and, if there's a march, I don't like us marching alongside them."

He said he wanted protest leaders to police themselves as much as possible and that officers would intervene if they witnessed people breaking the law.

Mayor Ted Wheeler called the text messages "disturbing," said that they appeared to encourage Gibson and that incidents like this contribute to public distrust of the Portland Police Bureau. He said he's asked Police Chief Danielle Outlaw to launch an investigation and "report back to me expeditiously."

"It is imperative for law enforcement to remain objective and professional, and in my opinion, these text messages appear to cross several boundaries," Wheeler said in a statement. "They also raise questions about whether warrants are being enforced consistently and what information is being shared with individuals who may be subject to arrest."

Portland Commissioner Jo Ann Hardesty in a statement Thursday said the texts didn't shock or surprise her and confirmed that "there are members of the Portland police force who work in collusion with right-wing extremists." She said news of the text exchanges should be used to help buoy police reform that calls for "policing that treats all community members with respect and allows for peaceful protest free of intimidation and bias."

Hardesty said she and other community groups are calling for an independent investigation into correspondence between police officers and members of alt-right groups and individuals.

"The incidents we hear about are not 'one off's' but everyday examples of a broken policing system in Portland that must be addressed," Hardesty said. "I look forward to supporting actions of accountability. I ask that the Mayor and Police Chief Outlaw take swift action and I will also be here to demand justice if that call is not met."

Outlaw issued a statement late Thursday night after posting all the text messages and emails between Gibson and the lieutenant on the bureau's website.

"I have directed an internal investigation to review the context of these communications and determine if any Bureau directives were violated," she said in the statement. "If anything is identified that is deemed outside of our values and directives, it will be addressed."

Portland Drafts New Historic Preservation Rules to Wrest Back Local Control

*By Elliot Njus
February 15, 2019*

Portland is rewriting its historic preservation rules to reassert local control over what's worth protecting and what's just old.

The city has for a quarter-century used the National Register of Historic Places as the main arbiter of what's protected from demolition or radical renovation.

But that approach has been unpopular with preservationists, who say adding a property to the register is too slow and costly to effectively protect all the buildings worth saving.

And the process has become steeped in politics in recent years.

Affluent neighborhoods, including Eastmoreland and Laurelhurst, have nominated themselves as historic districts to avoid the home demolitions and infill development proliferating in the city — much to the chagrin of affordable housing activists, who said those neighborhoods were trying to subvert the city's density goals.

While the federal government places no restrictions on the use or demolition of a property on the National Register, the city does — alterations are strictly policed, and demolitions must be approved by the City Council.

The issue is that the city has little say in which properties make it onto the national list.

“We want to be able to make local decisions,” said Brandon Spencer-Hartle, the manager of the city's historic resources program.

The proposed code would let the city designate its own landmarks and districts, a practice that was abandoned years ago when a new state law required owner consent for any historic designation. That would have required a rewrite of the local rules that never happened.

Protections for districts and buildings already listed on the National Register wouldn't be affected by the new rules, which could go to the City Council by the end of the calendar year.

The proposed code wouldn't be much comfort to those who want their neighborhood preserved in amber or hope a historic designation would prevent crowding.

It would eliminate parking requirements for designated historic resources, and it would allow owners to, for example, divide single-family houses into several apartments.

The rule would also allow property owners to build additional structures on the property — such as adding cottages or apartments to empty land next to a historic building. And some historic commercial buildings could be used for a business, even though they're in a residential zone.

That's important because it helps make historic preservation financially viable, said Lincoln Tuchow, a board member of Portland's Architectural Heritage Center, which generally supports the changes.

“That's the most easy way we can have our cake and eat it too,” he said. “We can increase density without a mass of demolitions.”

It would also open historic buildings to more people than would be able to use them if they were private, single-family houses, Spencer-Hartle said.

“These special places that are worthy of being subject to historic protections should be used and enjoyed by as many people as possible,” he said. “The more people that enjoy them, the more successful the program is.”

The new city code would create two levels of protection, rather than the one-size-fits-all approach of the National Register.

The less restrictive “conservation landmark,” or “conservation district” for a collection of buildings, would leave property owners a route to demolish buildings if they make up in some way for the historic loss, and they could make many architectural alterations without going through a lengthy review process.

The more restrictive “historic landmark” or district would require City Council approval to demolish most historic buildings and alterations would have to go through a city review.

The city also plans to update its Historic Resource Inventory, a list of historic properties that hasn’t been updated since the 1980s.

Properties on the inventory are subject to a 120-day demolition delay, but owners looking to demolish buildings have overcome the delay by removing the property from the list. The regulatory rewrite would eliminate the ability of owners to remove their properties from the list.

The Bureau of Planning and Sustainability is taking comments on the proposal at portlandoregon.gov/bps/hrcp.

Judge Delays Portland Earthquake Warning Ordinance as City Weighs Changes

*By Elliot Njus
February 15, 2019*

A federal judge ordered a two-month delay for a Portland ordinance that would require warnings in buildings vulnerable to earthquakes while the City Council considers a replacement ordinance.

The ordinance was set to take effect on March 1, but Judge John Acosta placed an injunction that would preclude it from taking effect until May 1. He’s expected to hear arguments the week before the injunction expires in a lawsuit over the new rules filed against the city by the owners of such buildings.

A hearing was set for next week, but attorneys for the city said Commissioner Jo Ann Hardesty planned to propose a replacement ordinance that would delay the placarding requirement until next year. Hardesty has said the Portland Fire Bureau, which she oversees, will not enforce the ordinance.

In addition to the lawsuit, the ordinance has drawn opposition from the National Association for the Advancement of Colored People, which said it would promote displacement in historically black sections of North and Northeast Portland. A coalition of performance venues in unreinforced brick buildings also opposes the policy.

Acosta said there was little point in holding a hearing over an ordinance that’s likely to change and that the two-month stay would allow the city time to approve the replacement ordinance.

The City Council passed the ordinance in October. It would require owners of brick and similar buildings to prominently post signs with the disclosure: "This is an unreinforced masonry building. Unreinforced masonry buildings may be unsafe in the event of a major earthquake."

The same warning must be distributed to tenants of the building under the rule.

The suing building owners argue the ordinance violates their First Amendment rights by compelling them to display a government message. They also argue the city had applied the mandate unequally by setting a longer timeline for buildings owned by nonprofits.

The Portland Tribune

Wheeler: Texts Between Police, Joey Gibson are 'Disturbing'

*By KOIN 6 News
February 15, 2019*

Critics blast hundreds of texts between Portland police lieutenant and Patriot Prayer leader that appear to show friendly relationship.

Hundreds of texts and emails, released by the Portland Police Bureau, seem to show a friendly relationship between Lt. Jeff Niiya and Patriot Prayer leader Joey Gibson.

The story was first posted by Willamette Week on Thursday, prompting Mayor Ted Wheeler to order an investigation into what he called "disturbing."

The Portland Police Bureau released a statement late Thursday night, along with a link to "all of the documents in their entirety" relating to text conversations between Niiya and Gibson. You can read the texts [here](#).

The newly released documents show hundreds of texts between Niiya and Gibson during 2017 and 2018 when multiple protests, some of which turned violent, erupted between Patriot Prayer and Antifa.

In one of the texts, sent on Dec. 8, 2017, Niiya wrote to Gibson, "When you don't get intimidated and show you care they do it no reason to do it. And yes I don't think this will be a huge deal. I'm thinking it will be a lot like the last one. BTW, make sure Tiny has his court stuff taken care of. I was told on the radio at the Jamison Sq event he had a warrant. I told them we would not be arresting Tiny right now. So please be sure he's good to go before coming down."

Niiya is in charge of PPB's rapid response team that responds to protests -- raising questions about whether Portland Police helped Patriot Prayer avoid arrests.

In a statement late Thursday afternoon, Wheeler seemed to agree.

"The released text messages, which I learned about in today's Willamette Week, are disturbing," Wheeler said. "Community members have long expressed concerns about police bias during demonstrations. Incidents like this contribute to the distrust that so many people have about the Portland Police Bureau."

Continued Wheeler, "These text messages appear to cross several boundaries, The texts appear to unnecessarily encourage Joey Gibson, the leader of a group that perpetrates hate speech and violence."

Wheeler said he ordered PPB Chief Danielle Outlaw "to do a thorough investigation of this matter and report back to me expeditiously." Outlaw later released a statement saying she has directed an internal investigation.

City Commissioner Jo Ann Hardesty also released a statement and said she was not surprised.

"I am not shocked, and I am not surprised at today's reporting of Lt. Jeff Niiya's collaboration with Patriot Prayer leader Joey Gibson over text to provide aid and support for their hate marches. This story, like many that have come before it, simply confirms what many in the community have already known — there are members of the Portland police force who work in collusion with right-wing extremists."

She called on Wheeler and Outlaw to "take swift action" and added that she "will also be here to demand justice if that call is not met," Hardesty said.

The text messages between Niiya and Gibson take place before, during and after some of the high-profile protests that roiled the city in the two years since Donald Trump became president.

It's not clear whether Niiya or other PPB officials were talking with members of Antifa.

After news of the texts broke on Thursday, CAIR Oregon, the Oregon Justice Resource Center and Western States Center released a joint statement.

The groups called the report "just the latest news showing an inappropriate and disproportionate response to alt-right groups from PPB."

"Given this troubling pattern, it is time Portlanders heard from Chief Outlaw about the PPB's position on the resolution condemning white supremacy, white nationalism and alt-right hate groups that was unanimously passed by the Portland City Council last week. The Mayor and City leadership have made their position clear. But, given the central role PPB must play in deterring political violence, our communities need to hear from Chief Outlaw directly on whether she aligns with City leadership on this issue and how her department rejects hate and bigotry. Specifically, given a growing perception that the PPB or individual actors within law enforcement have allowed their sympathies for alt-right groups to dictate their professional behavior, we welcome a public statement from Chief Outlaw on how she intends to do to address this direct conflict with the values expressed by city leadership," the groups said.

In her statement, Chief Outlaw said, "The Portland Police Bureau has strong organizational values that encompass integrity and accountability. We have also pledged transparency to our community. I have directed an internal investigation to review the context of these communications and determine if any Bureau directives were violated. If anything is identified that is deemed outside of our values and directives, it will be addressed."

Also on Thursday night, the Portland Democratic Socialists of America called on Wheeler to relinquish his assignment as police commissioner "immediately" and assign the role to Hardesty.

Class Differences

By Steve Law

February 14, 2019

Portland neighborhoods fighting the hardest against the Residential Infill Plan tend to be more affluent and the least affected

Portland neighborhoods five miles or so from downtown could experience the most redevelopment and home demolitions under the city's proposed Residential Infill Plan, according to a new city analysis.

Conversely, closer-in affluent communities — home to many of the biggest critics of the infill plan — are projected to have the least amount of new development as a result.

"Higher-income and higher-value neighborhoods will likely see less redevelopment compared to other areas across Portland," city planners wrote in a new 31-page report, Displacement Risk and Mitigation. The report analyzes the impacts of the latest version of the Residential Infill Plan, often dubbed RIP, which is slated to go before the Planning and Sustainability Commission for a final vote on March 12.

City planners devised the plan to require more "missing middle" housing — accessory dwelling units, duplexes, triplexes and fourplexes — to provide more affordable housing closer to job sites and promote greater racial, class and age diversity in neighborhoods across the city.

Planners project the plan will spur 300 to 400 more triplexes and fourplexes per year within 20 years — about 24,000 units — plus 3,000 added accessory dwelling units.

But many critics are skeptical the plan will provide much new affordable housing or stem home demolitions, and fear it will create parking shortages and other negative impacts in their neighborhoods.

"We're concerned that houses that are affordable are going to continue to be torn down," said Michael Molinaro, a retired architect who lives in the Sunnyside neighborhood.

The new fourplexes won't be owner-occupied, Molinaro said, because condos don't work very well in such buildings. "These are going to be absentee-landlord-owned and rented out," he said.

Residents in Laurelhurst and Eastmoreland — neighborhoods consisting largely of upper-end single-family homes — have gone so far as to petition to become historic districts, in part to thwart redevelopment under the RIP.

But city planners say the current plan, which was changed significantly last spring, makes demolitions in those neighborhoods less likely. That's because, under provisions meant to prevent "McMansions," the maximum size of a new house would be 2,500 square feet, making it less likely someone will buy an existing house to tear it down and replace it.

"Under the proposal, new development in higher-value neighborhoods is expected to be limited to sites with lower-value houses compared to the surrounding neighborhood," the new displacement report states.

"You still could see a fourplex in Laurelhurst or a triplex in Eastmoreland, but the likelihood of that being developed is less than under the current scenario," said Tyler Bump, a senior economic planner working on the RIP.

Molinaro agrees the new provisions will shift developers to opportunities in less-affluent parts of the city.

"They're going to concentrate their work in areas of Portland that are less expensive," he said.

Displacement potential

City planners say neighborhoods most likely to have residents forced out are those with a higher share of renters who are low-income or people of color, without college degrees, in areas with desirable amenities or locations. Lents, Brentwood-Darlington and the eastern part of Montavilla are likely to experience the most displacement, city planners say. Those and other "middle-ring" neighborhoods such as St. Johns, Portsmouth, Concordia and Cully are expected to see "more significant increases in new unit production," the displacement analysis forecasts.

Some East Portland neighborhoods, including Centennial, Powellhurst-Gilbert, and Mill Park, are forecast to see "moderate increases in new housing units." But nearby neighborhoods such as Parkrose, Argay, Hazelwood and Glenfair "will likely see minimal change," the report states.

Close-in neighborhoods such as Buckman, Richmond, Eliot, Humboldt, and Northwest Portland are pegged to see "minimal change in redevelopment rates and moderate increases in new housing units."

Several close-in neighborhoods are pegged to have less redevelopment than they would expect from current zoning, planners say, including Eastmoreland, Pleasant Valley, Southwest Hills, Sylvan-Highlands, Hayhurst, Maplewood and Wilkes.

City planners, under the guidance of the Planning and Sustainability Commission, revamped the RIP last spring to include most Portland neighborhoods, in order to spur more missing middle housing. They were encouraged in part by support from some of the areas expected to get the most redevelopment, largely in more working-class neighborhoods.

People in Lents are concerned about the potential for displacement, but doing nothing is not going to lead to more affordable housing, said Nick Christensen, the land use chair for the Lents Neighborhood Association.

"As people continue to move here, the only real answer is to make sure there are places for everybody, so they have a place to call home," Christensen said. "We don't want to see people being forced to move further out."

Support with conditions

Some activists say they'd support the RIP if the city invests in some of the tools to mitigate displacement, as catalogued in the new report. Those include weatherization programs for landlords with low-income tenants, waiving development fees if landlords agree to rent to households below the median income, expanding homeownership programs such as those offered by land trusts, and education for lower-income homeowners so they don't get duped by predatory lenders.

Cameron Herrington, anti-displacement coordinator for Living Cully, a coalition of nonprofits in that neighborhood, pointed to a recent Portland State University study that found a disproportionate share of accessory dwelling unit tenants are white and well-educated. "That's a cautionary tale," Herrington said, that a new supply of lower-cost housing may not serve the people who most need it.

"I think that allowing more supply is a key ingredient," Herrington said. But other city bureaus need to use the tools suggested by the Planning and Sustainability Bureau to assure more aren't displaced, he said.

City planners argue that demolitions will decrease under the RIP when compared to current zoning.

However, Johnson Economics, a consultant commissioned by the city, calculated demolitions will grow under the RIP.

Bump said the city used a different computer model than Johnson, and he depicted the different results as relatively minor.

Attacking inequities

One of the raging controversies in the RIP debate has been allegations of elitism or downright racism by communities trying to stave off changes and more affordable housing in their midst.

In the displacement report, city planners conclude that past city zoning codes, along with racist home-lending practices known as redlining, served to maintain some neighborhoods as exclusive enclaves of single-family homes.

The city's first zoning code, adopted in the 1920s, emerged after court decisions banned discriminatory practices in housing, said Morgan Tracy, the RIP project manager for the Bureau of Planning and Sustainability. Then in the 1950s, when the city rezoned many neighborhoods to make them exclusively single-family, that followed the growth of redlining, he said.

The class and racial segregation that resulted "was not an accident," Tracy said.

"Zoning, redlining, racial covenants, and community planning have played a role in shaping the city's urban form — and in exacerbating inequities along race and class lines," planners state in the new displacement report. "Exclusive neighborhoods that do not allow for more housing options to absorb a growing and changing population can increase gentrification pressures in other neighborhoods as housing demand spills over and increases housing costs."

RIP critics resent such allegations, saying planners are using dubious arguments about equity and affordability to win passage of the plan.

If the Planning and Sustainability Commission approves the plan, this political hot potato will get placed on city commissioners' plates.

Displacement risks

- 14,000 low-income households rent homes in areas that would be rezoned under the Residential Infill Plan.
- Planners project 680 low-income renters in single-family homes are at risk of displacement by 2035 under RIP, versus 940 under current zoning.
- People of color make up 30 percent of Portland's population but only 18 percent of its homeowners.
- 18,000 homeowners of color live in areas to be rezoned. In the past, unscrupulous home lenders have preyed upon people of color.
- 37 percent of those homeowners are low-income.

Source: Displacement Risk and Mitigation report, available at: www.portlandoregon.gov/bps/article/711707

Neighbors Gird for Street Fight on Infill Projects

By Jim Redden

February 14, 2019

They thought they were working to protect neighborhoods from McMansions, but they did not see the fourplexes on the horizon.

A proposal to increase housing density in most of Portland's single-family neighborhoods is headed to the City Council this summer.

Many of those who were involved in the early stages feel betrayed.

Former Mayor Charlie Hales created the Residential Infill Project — often called RIP by fans and foes alike — in 2015 after neighborhood activists and historic preservationists expressed increasing alarm that many viable small houses were being demolished and replaced with so-called McMansions that towered over nearby homes.

When the 25-member Stakeholder Advisory Committee was appointed in September of that year, the Bureau of Planning and Sustainability, which is staffing the project, said it would "evaluate Portland's single-dwelling development standards to ensure that new or remodeled houses are well integrated and complement the fabric of neighborhoods throughout the city."

But now, as the project's recommendations move toward consideration by the council, they would rezone 96 percent of existing single-family neighborhoods to allow up to four units on every lot, and allow duplexes, triplexes and fourplexes to be up to 1,500 square feet larger than single-family houses.

"They took our idea and used it to give the city away," said critic Margaret Davis, an artist and neighborhood activist who helped organize support for starting the project. She fears the final plan will have loopholes allowing even bigger structures, too.

But Mary Kyle McCurdy, deputy director of the 1000 Friends of Oregon land use watchdog organization, said the current recommendations do not conflict with RIP's original purpose. She pointed out that one of the primary topics to be addressed by the project was always "alternative housing options," which include allowing smaller multifamily projects in single-family neighborhoods.

"We need all these tools to produce housing for all Portlanders," said McCurdy, who served on the committee.

The issue — and conflict — is bigger than Portland. Other cities are grappling with how to accommodate growth in existing neighborhoods. Minneapolis recently rezoned all single-family neighborhoods to allow duplexes and fourplexes, although they cannot be larger than a single-family house. Seattle has just created a task force to address the issue. And the 2019 Oregon Legislature will consider a bill introduced by House Speaker Tina Kotek (D-Portland) that would outlaw exclusive single-family neighborhoods in cities with more than 10,000 people.

Debate changes over time

There is no doubt the public debate over how best to accommodate growth in Portland has changed in recent years. Not too long ago, Portland planners said the city had enough "zoned capacity" for the next 20 years of population increases. Most of the additional housing was projected to be built downtown and in designated "centers" along major transportation corridors and near transit stations.

Although 20 percent of the additional housing was expected to be built in existing residential neighborhoods, there was not much talk of rezoning them for multifamily housing. In fact, by the fall of 2014, the biggest issue seemed to be an increase in residential demolitions, where existing homes — some apparently in good shape — were being torn down and replaced with much larger and more expensive ones. The number of issued demolition permits increased greatly: They rose from 260 in 2013, to 290 in 2014, and to 317 in 2015.

The issue was first presented to the council in July 2014 by the Portland Historic Landmarks Commission. Its annual State of the City Preservation Report called the increasing number of demolition and infill projects an "epidemic."

"This epidemic of single-family home demolitions erodes the character and culture of our neighborhoods, promotes and accelerates gentrification, creates a negative environmental impact and disincentivizes historic preservation," read the report, which called for the council to create a public process to allow for the review and delay of the demolition of any structure older than 75 years until the city's existing inventory of historic buildings is updated.

The proposal was cheered by neighborhood activists and preservationists who packed the hearing. Following the testimony, then-Mayor Hales assured the partisan crowd that they would "see action soon." After the meeting, he told the Portland Tribune that he meant in "a matter of weeks, not months."

Two months later, around 70 people from 17 different neighborhood associations attended a "Demolition Summit" on Sept. 30 at Grant Park Church in Northeast Portland. During the meeting, the group adopted the name United Neighborhoods for Reform and approved a two-track approach to changing city policies regarding residential demolitions and infill projects.

First, it launched an online petition urging the Bureau of Development Services, which issues demolition and building permits, to address the problem. It also called for the city to encourage deconstruction of buildings targeted for demolition by hand instead of the large machines that spread contaminants on adjoining properties.

"I was very pleased with the turnout and the enthusiasm for moving forward. There was a lot of positive energy," Al Ellis, one of the organizers and a former president of the Beaumont-Wilshire Neighborhood Association, told the Portland Tribune after the meeting.

Then, when Hales delivered his 2015 State of the City Speech before the City Club of Portland on Jan. 30, he promised to introduce new policies to discourage residential demolitions and restrict the size of replacement houses. But he also left the door open to increasing densities in single-family neighborhoods.

"My first priority is neighborhoods, keeping great neighborhoods and expanding the benefits of urban living to other neighborhoods," Hales said.

Plan meets reality

Hales created the Residential Infill Project within the Bureau of Planning and Sustainability to research and analyze such policies in July 2015. From the very beginning, it was directed to focus on three topics:

- The scale of houses, including maximum height limits, maximum lot coverage and minimum setbacks and yard areas.
- Development on lots that are narrower than traditional development patterns.

- Alternative housing options, which were described as internal house conversions (multiple units inside an existing house), accessory dwelling units (one inside a house and one detached), cottage cluster development (multiple smaller houses on a single lot), and stacked flats (units arranged on top of each other as opposed to side by side).

An early schedule called for options to be developed between October and January 2016, with a public involvement process to help refine them between February and May. City code amendments were expected to be drafted from June to August, with public hearings held on the resulting proposals between September 2016 and March 2017.

But by the time the Stakeholder Advisory Committee began meeting in the fall of 2015, a new issue had emerged that has dominated Portland politics to this day — the affordable housing crisis.

"You didn't hear that much about the affordable housing crisis in 2013 and 2104," said Eli Spevak, a developer of smaller homes who served on the committee and is currently on the Planning and Sustainability Commission that oversees the bureau.

The issue was hardly new. Portlanders had been seeing what appeared to be an increase in homeless people living outdoors for years. But solid figures were hard to come by. Homeless service agencies in Multnomah County only conducted federally required point-in-time homeless counts on a single night every other year, and the findings were considered limited.

Then, on Oct. 7, 2015, just as the committee was beginning its work, the City Council proclaimed a housing emergency for one year. The council subsequently extended the emergency multiple times. It is still in effect.

Some economists began arguing that to reduce rents and home prices, Portland needed a lot more of all kinds of housing, not just publicly subsidized "affordable housing" designed and built for households earning below the area median income. In this environment, the concept of encouraging more so-called "missing middle housing" began to gain traction.

The search for 'missing middle'

Decades ago, such housing was built throughout Portland. But around the 1950s, it became restricted. Neighborhoods were rezoned for single-family houses, the pattern preferred by developers and buyers in those days.

By mid-2016, the idea of rezoning at least some of the city's single-family neighborhoods to allow for missing middle housing was winning support in influential circles. For example, in

April of that year, the liberal City Club of Portland adopted a report calling for such housing throughout the city help reduce skyrocketing rents and home prices.

"Duplexes, triplexes, small apartment buildings and courtyard projects could provide affordable housing dispersed throughout established neighborhoods," the report said.

The next month, small business owner Chloe Eudaly shook up City Hall by forcing incumbent Commissioner Steve Novick into a run-off in the May 2016 primary election. Running as an aggrieved renter with grassroots support, she went on to defeat him in the November general election.

Even before the infill project completed its work, in June 2016 the City Council inserted a last-minute policy encouraging missing middle housing in the state-required update of the Comprehensive Plan that governs future development. The policy called for increased density within a quarter mile of designated centers, transportation corridors with frequent- service transit

and high-capacity transit stations with "a scale transition between the core of the mixed-use center and surrounding single-family areas."

The evolving debate split the committee members. Eventually, most — but not all — neighborhood representatives were pitted against a larger block of developers, environmentalists, affordable housing advocates and some other neighborhood representatives in favor of increasing density in single-family neighborhoods.

Project staff identified the two groups as the majority "housing diversity perspective" and the minority "neighborhood context perspective."

McCurdy said the growing focus on missing middle housing was a logical response to demographic shifts. She and other supporters noted that household sizes are shrinking, creating the need for smaller, more affordable units throughout the city.

But Portland architect Rod Merrick, a neighborhood activist who also served on the committee, said the majority favored rezoning far too much of Portland, including neighborhoods without enough parking for so many more residents.

"We weren't opposed to more density, just not more density in the wrong places," Merrick said.

What is missing middle housing?

"Missing middle housing" is a term that is generally defined as relatively small multifamily projects. Those can include single-family accessory dwelling units built on a house's lot, as well as duplexes, triplexes, fourplexes, cottage clusters and "garden apartments" built around landscaped courtyards.

Part 2, next week: The Planning and Sustainability Commission is scheduled to vote to send the current project recommendations to the council on March 12.

Willamette Week

Portland Mayor Calls For Investigation of Police After WW Reports Text Messages With Right-Wing Organizer. Read All the Texts Here.

By Katie Shepherd

February 14, 2019

"In my opinion, these text messages appear to cross several boundaries," Mayor Ted Wheeler said.

In the wake of WW's reporting on texts between a Portland Police lieutenant and Patriot Prayer organizer Joey Gibson, Portland's mayor and a city commissioner have condemned the content of the texts and called for internal and external investigations of the Police Bureau's contact with the right-wing group.

Mayor Ted Wheeler says he directed Police Chief Danielle Outlaw to conduct a "thorough investigation" of bureau communications with Patriot Prayer, a right-wing protest group that has frequently drawn white supremacists and other extremists to its rallies.

"The released text messages, which I learned about in today's Willamette Week, are disturbing," the mayor said in a statement. "It is imperative for law enforcement to remain objective and

professional, and in my opinion, these text messages appear to cross several boundaries. They also raise questions about whether warrants are being enforced consistently and what information is being shared with individuals who may be subject to arrest."

Wheeler also says the texts undermine community trust in the police, by giving the appearance that officers are encouraging right-wing agitators who have made a habit of fighting in Portland's streets.

"The texts appear to unnecessarily encourage Joey Gibson, the leader of a group that perpetrates hate speech and violence," Wheeler said. "Demonstrations that he has led have caused significant disruption and increased fear in our community."

Minutes earlier, Commissioner Jo Ann Hardesty called for an independent investigation into collaboration between police and alt-right or white supremacist groups.

"I am not shocked, and I am not surprised at today's reporting of Lt. Jeff Niiya's collaboration with Patriot Prayer leader Joey Gibson over text to provide aid and support for their hate marches," Hardesty said in a statement. "This story, like many that have come before it, simply confirms what many in the community have already known – there are members of the Portland police force who work in collusion with right-wing extremists. The time for indignation and feigned outrage is past, and the time for meaningful accountability is here. "

Hardesty called on Mayor Ted Wheeler and Police Chief Danielle Outlaw to take "swift action." Wheeler has already obliged.

Download the texts released to WW [here](#). WW has redacted individuals' phone numbers and replaced Niiya and Gibsons' phone numbers with their names for clarity, but the texts are otherwise unchanged.

Texts Between Portland Police and Patriot Prayer Ringleader Joey Gibson Show Warm Exchange

*By Katie Shepherd
February 14, 2019*

The texts show that Lt. Jeff Niiya had a friendly rapport with far-right organizer Joey Gibson.

Hundreds of texts between Portland police and right-wing organizer Joey Gibson reveal the extent to which law enforcement officers talked to and even coordinated with right-wing activists in order to police protests in 2017 and 2018.

The texts, obtained by WW through a public records request, show that Portland Police Lt. Jeff Niiya had a friendly rapport with Gibson, frequently discussing Gibson's plans to demonstrate in Portland and even joking at times.

Gibson's events, occurring regularly in the Pacific Northwest since President Donald Trump's election, have alarmed and enraged Portlanders—even prompting the mayor to propose new rules restricting protests. That's because the rallies have attracted white supremacists and other extremists, and are often thinly veiled pretexts for Gibson's group, the Vancouver-Wash-based Patriot Prayer, to wage violent street fights with masked antifascists.

Niiya is the commanding officer for the Portland Police Bureau rapid response team that patrols protests. That makes him one of the primary officers collecting intelligence about protest groups in Portland.

Niiya and the Portland Police Bureau have good reason to collect intelligence from right-wing organizers. Yet some of Niiya's texts raise questions about whether Portland Police help Patriot Prayer supporters to evade arrest during events.

Several texts involve Gibson's longtime adjunct, Tusitala "Tiny" Toese, who often brawls with antifascist protesters, has allegedly assaulted people who were not protesting, and has been arrested multiple times in Portland.

On Dec. 8, 2017, Niiya asks Gibson if Toese had "his court stuff taken care of," referring to an active warrant for Toese's arrest. Niiya goes on to say officers ignored the warrant at a past protest and tells Gibson that he doesn't see a need to arrest Toese even if he has a warrant, unless Toese commits a new crime.

"Just make sure he doesn't do anything which may draw our attention," Niiya texted on Dec. 9. "If he still has the warrant in the system (I don't run you guys so I don't personally know) the officers could arrest him. I don't see a need to arrest on the warrant unless there is a reason."

A spokeswoman for the Police Bureau says it is not unusual for officers to suggest people turn themselves in to avoid being arrested on a warrant.

"It is not uncommon for officers to provide guidance for someone to turn themselves in on a warrant if the subject is not present," says Lt. Tina Jones. "In crowd management situations, it may not be safe or prudent to arrest a person right at that time, so the arrest may be delayed or followed up on later. There is no way of knowing how often this happens, as it is not something we track."

WW asked Gibson for comment on his relationship with Niiya and the texts. His response was brief: "Sweet," he texted.

The texts also show that Niiya at times told Gibson where leftist protests were taking place, including unrelated protests as well as antifascist marches with people in black bloc intent on protesting Patriot Prayer. At least once, Niiya told Gibson that Portland police were not monitoring a protest hosted by the Queer Liberation Front in an attempt to dissuade Gibson's right-wing group from showing up.

Portland police officers attempt to reach out to all groups the bureau knows plan to demonstrate in Portland.

It's unclear whether Niiya and PPB were also communicating with antifascist organizers, though Portland Police officials have said the bureau struggles to get information from some leftist protest groups. A story by WW in 2017 showed Niiya had texted extensively with at least one antifa protester.

Portland Police have taken criticism from left-leaning activists for appearing to favor right-wing protesters in the past. Drafts of an Independent Police Review analysis of police actions at a June 4, 2017 protest noted that at least one officer viewed the right-wing protesters affiliated with Gibson's Vancouver, Wash. group, Patriot Prayer, as "much more mainstream" than left-wing antifascist groups.

Gibson and Niiya discussed those Antifa activists in their written exchanges.

In one exchange, it appears that Niiya and Gibson were discussing reporting by The Oregonian. They both mention organizer Luis Enrique Marquez, who has been a target of the far-right activists and has been arrested several times in Portland at protests.

"Wow, when will others realize Luis is [...] involved in so much," Niiya texted on Jan. 2, 2018, in response to Gibson complaining about the activist.

"I am going to screen shot our conversations and send it to Oregonian now," Gibson replies.

Niiya texts back: "Wonder if they will pick it up. They didn't even mention Luis in the story about June (Gia) and I even though he again was the one putting it out on FB."

"He's a bad dude," Gibson texts. "He threw Gia under the bus while at the same time claiming PPD is taking advantage of minorities. Every single problem we run into it goes back to him."

(June Davies, who has also gone by the names Gia and Tan, is a former antifascist protester and street medic who was run out of leftist organizing groups after their texts with Niiya became public. Both The Oregonian and WW covered the fallout from the leaked messages.)

Gibson also told Niiya over text that he was planning to run for U.S. Congress in January 2018, before he formally announced his campaign. He said he would intentionally "use" protesters in Portland and Seattle to promote his run for office. From the outset, Gibson doubted his chances to win the election.

"The hate against me will multiply because I am running for office, so when I come into Portland and Seattle the energy will be high," Gibson wrote. "I know it's a pain in the ass for you guys, but I will do the best I can to work with you."

Niiya responded: "Your [sic] running for office?!! Good for you. County level?"

"Running for US senate," Gibson said. "Will take a miracle for me to win but people are backing me so we will see what happens. I will be using Portland and Seattle protesters as a part of the campaign so it will impact you guys unfortunately, so I appologize [sic] now ahead of time."

The Portland Mercury

Family of Mentally Ill Man Fatally Shot by Police Requests Meeting With Chief Outlaw, Mayor Wheeler

*By Alex Zielinski
February 14, 2019*

The twin brother of Andre Gladen, the 36-year-old Black man fatally shot by Portland police Officer Consider Vosu on January 6, is requesting a meeting with Mayor Ted Wheeler and Portland Police Bureau (PPB) Chief Danielle Outlaw.

"The policing institutions of the City of Portland failed Andre," wrote Fonte Gladen, speaking for himself and nine other members of Andre's family in a letter sent yesterday afternoon to Wheeler and Outlaw. "I implore you not to fail me and the rest of Andre's family."

Andre, who has been diagnosed with schizophrenia, had sought emergency psychiatric care at Adventist Medical Center on January 6. Shortly after being discharged from the hospital, he appeared at Desmond Pescaia's doorstep, seeking help. At the time, Andre was not wearing shoes, carrying a blanket, and wearing pants that were soiled with urine.

It should be noted: Medical records from a 2017 exam at Kaiser Permanente—which his family obtained and shared with the Mercury—show that Andre is "permanently, legally blind."

Pescaia offered Andre cash to ride the MAX or get some food, then asked Andre to leave. Instead, Andre fell asleep on Pescaia's porch, prompting Pescaia to call PPB. Andre woke up when Officer Vosu arrived, and yelled at Pescaia to let him inside. Pescaia opened the door, and Andre bolted inside, with Vosu following close behind him. According to Pescaia, the two men wrestled on the floor as Vosu tried, unsuccessfully, to handcuff Andre, at which point Vosu then shocked Andre with a Taser. According to police reports, Andre then pulled out a knife and ran towards Vosu, who fired his gun. Andre was taken to the hospital, where he was declared dead on arrival.

Portland mental health advocates and police accountability activists responded to Andre's death with outrage, pointing to the police bureau's trend of disproportionately shooting people of color and people who have mental illness.

Fonte echoed those concerns in his letter:

"I write on behalf of myself and the family of Andre Gladen and on behalf of the citizens of the city of Portland, African Americans [stet] citizens, those with mental health problems, those with physical disabilities and limitations; all who because of the color of the of their skin, their physical challenges, their mental challenged are prey and fall victim to the 'hunters' who are wrongfully enrolled on the roster of the Portland Police Bureau."

The letter asks Wheeler and Outlaw to meet with the Gladen family in Portland City Hall on Feb. 21 or 22.

"Please meet with us and answer the questions we have about this tragedy we are trying to deal with," Fonte closed.

Gladen's family has retained Chicago-based attorney Andrew Stroth to investigate Andre's case. Stroth also represents the family of John Elifritz, the man fatally shot by law enforcement at a homeless shelter in April 2018.

"We are conducting a full independent investigation and will pursue civil litigation to help the family obtain truth and justice," Stroth told the Mercury .

Neither Wheeler nor PPB have responded to the Mercury's request for comment.

Texts Show Protective Relationship Between Portland Cops and Patriot Prayer

*By Alex Zielinski
February 14, 2019*

"We have a large group of antifa trying to flank us an you. We are stopping them for now... but not sure how long."

This is one of hundreds of text messages sent between Portland Police Bureau (PPB) Lt. Jeff Niiya and Joey Gibson, leader of Vancouver alt-right group Patriot Prayer over the past two years. Like many messages discovered in a records request made in August by the Portland Mercury, it reflects many of the public's suspicions that the Portland police have been sympathetic—if not protective—of the right-wing extremist group.

It's not unusual for PPB officers to contact activists who may be planning a protest. But usually, these conversations exist only so PPB can quickly get in touch with a protest group to get an idea of how many people will show up to participate or to ask about general schedule. While Niiya does ask Gibson about crowd sizes and planned future protests, he also chose to regularly give Gibson a heads up about counter-protesters and sympathize with Gibson's frustrations.

"Heads up just told 4-5 black Bloch [another nickname for antifa] heading your way. One carrying a flag," writes Niiya during a protest on December 23 2017. "We will have officers nearby but you may want to think about moving soon if more come."

Another message Niiya sent to Gibson, before Patriot Prayer's August 4, 2018 march: "As you march we move to keep you both separated. No patriots going to them no Antifa to you. If they get close we will be in between."

The messages show how Niiya worked to build a relationship of trust with Gibson that goes beyond basic event planning. In one, Niiya congratulates Gibson on his decision to run for Senate, in another, he asks about Gibson's recent visit to a hospital.

"I want you to know you can trust me. Don't want to burn that," writes Niiya in a September 2017 message.

Later, Gibson apologized to Niiya for making a public announcement that "Portland police has our back."

"It slipped," Gibson wrote.

Niiya also warns Gibson against bringing Tusitala "Tiny" Toese to a Portland rally, since there was an active warrant for his arrest. In short, Niiya was actively helping Toese avoid arrest. This appears to contradict PPB's "Dissemination of Information" directive, that states:

"Members shall not provide information directly or indirectly that may enable any person to avoid arrest, punishment, or to conceal or dispose of goods, money, or other valuable things stolen or otherwise unlawfully obtained."

Portland officials have directly and indirectly chastised Patriot Prayer for the group's ties to the Proud Boys, a national alt-right extremist group that has been recorded attacking members of the public based on their race, religion, or sexual orientation—among others. (Just last week, Portland City Council passed a declaration denouncing white supremacists and alt-right groups like the Proud Boys and Patriot Prayer.)

This means Niiya's text relationship with Gibson may clash with yet another PPB directive that prohibits officers from regularly corresponding with members of the public who are "actively involved in an organized effort advocating criminal behavior against any individual, group or organization on the basis of race, ethnicity, religion, gender, age, national origin, marital status, sexual orientation or mental or physical disability."

The recorded text conversations show an unprecedented level of access between a member of the public and a police officer. Gibson regularly texts Niiya asking him to investigate people based on comments made on Patriot Prayer's Facebook page, or on a video a member of Patriot Prayer took of a member of antifa.

The most recent exchange between the men reflect Gibson's growing frustrations with Portland Mayor Ted Wheeler, who he accuses of lying about a cache of weapons PPB officers found during the Aug. 4 rally.

Niiya's response:

"I know you and others may not believe me but the Mayor really does support us and works well with us. Our work is complicated like I tried to say the other week. We are always trying to improve."

The Skanner

Report: City Must Change Government

*By Christen McCurdy
February 14, 2019*

Portland's current form of city government needs to change, argues a report released Sunday by the Portland City Club.

Portland voters have twice, in recent years – in 2002 and 2007 – rejected a shift to a strong-mayor form of government, and the report also argues against such a move. Instead the report, authored by 11 City Club volunteers, includes the following recommendations:

Centralize authority by strengthening the mayor's role; Create a city manager role – someone selected by the mayor and approved by the city council – with relevant training and experience; Stop electing city council members in at-large elections and switch to district-based elections, ideally with multiple commissioners per district; Increase the size of the city council to at least eight commissioners, plus the mayor; Explore alternative systems of voting.

"I sometimes hear people say that Portland is weird, so it's government should be weird," said Amanda Manjarrez, vice-chair of the research committee, in a City Club press release. "But it's not 'weird.' It's deeply inequitable."

The report argues that Portland's current form of government is outdated for two reasons. First, the city was much smaller when it adopted the commission form of government in 1913 – 200,000 versus 639,000 – meaning the five commissioners each serve a larger number of constituents. It notes that with fewer exceptions, cities with similar populations have larger councils than Portland.

The other reason Portland's city commission system is out of date, the report argues, is that it's rooted in racism.

“While not generally discussed in public, there was another motivation for some cities preferring the commission system with its at-large voting system. As federal courts later found, in some jurisdictions racism was a motivating factor: electing commissioners citywide prevented individual wards or districts with majority African American populations from electing their own favored candidate and greatly decreased the likelihood that minority candidates could be successful in any campaign,” the report notes. In one landmark case, the Supreme Court found that at-large voting systems ‘tend to minimize the voting strength of minority groups by permitting the political majority to elect all representatives of the district.’”

Researchers also found that the passage of the Voting Rights Act of 1965 led to a “precipitous decline” in the number of cities using the commission system, as federal courts ruled that at-large voting meant ethnic minorities were systematically underrepresented on commissions.

The report begins by noting the uniqueness of Portland's commission system among American cities of comparable or larger size. Citing the National League of Cities, it says a large majority of cities in the United States, are governed either by a strong mayor/city council form of

government, or a city council/city manager form. “Among cities with a population over 100,000, roughly 55 percent have selected the city council/manager system, and roughly 34 percent use a strong mayor/city council system. The National League of Cities also notes that strong mayor/city council form is ‘found mostly, but not exclusively, in older, larger cities or in very small cities.’”

“Most cities that once had the commission form of government differed from Portland’s system in that commissioners ran for office and were elected to oversee specific parts or bureaus of the city government. Someone would run, for example, to become Commissioner of Public Works, and then serve in that position, running the water and sewer agencies while in office,” the report reads. Portland’s system is different because the mayor assigns bureaus to commissioners – and often, cities with a commission form of government don’t have an elected mayor. Instead, one commissioner is appointed chairman or mayor, with the principal role of chairing meetings. Portland is among a small number of commission-government cities to have an elected mayor with the authority to assign or withdraw executive responsibilities from other commissioners.

OPB

Portland Mayor Wants Investigation Into Police Texts With Patriot Prayer

February 14, 2019

Mayor Ted Wheeler wants an investigation into why a Portland police officer regularly exchanged text messages with the leader of the right-wing group Patriot Prayer.

Willamette Week reported Thursday that a Portland lieutenant talked with and even coordinated with activist Joey Gibson. The Portland Mercury also obtained the text messages between Gibson and the officer.

Gibson is the organizer of a series of rallies that have attracted white supremacists to downtown Portland and led to violence between right-wing groups and left-wing antifascists.

Wheeler said he is disturbed by the text messages which appear to “unnecessarily encourage” Gibson. He’s demanded an investigation by Portland Police Chief Danielle Outlaw.

Some activists on the left have accused the Police Bureau of being overly sympathetic toward violent protestors on the right.

Police Lt. Jeff Niiya, the author of the messages to Gibson, was also in the news two years ago for exchanging many messages with an activist on the left who was eventually ostracized by other protestors.

Earlier this week, Wheeler failed to convince his colleagues on the City Council to keep Portland Police in the FBI-led Joint Terrorism Task Force. Supporters of withdrawing city officers cited their distrust of Portland Police and the way they have treated protestors among their reasons for leaving the federal coalition.

Commissioner Jo Ann Hardesty, a longtime critic of the Police Bureau elected last fall, called for an independent investigation of the text messages and the bureau’s relationship with white supremacist and right-wing groups. Hardesty led the push to withdraw from the terrorism task force.