

The Oregonian

Anonymous robocalls from landlord group seek to defeat Portland ordinance to ease renter screening

By Elliot Njus
May 29, 2019

A industry group for landlords and property managers launched a robocall campaign aimed at drumming up opposition to a proposal that would ease criminal background checks and other screening practices for renters in Portland.

The calls didn't identify their source or provide a return phone number, an apparent violation of Federal Communications Commission regulations. But Multifamily NW, the industry group, acknowledged it had paid a contractor to make the calls.

The Oregonian/OregonLive inquired after obtaining a recording of a call from a recipient. City Commissioner Chloe Eudaly, who sponsored the ordinance, also said in a Facebook post on Tuesday that constituents had reported receiving the calls. She called it an "unethical smear campaign."

Robocalling has been a mainstay during election season, but such a campaign is rare in the machinations of the Portland City Council -- and particularly when voters can't directly influence the outcome of a policy at the ballot box.

The call commissioned by Multifamily NW urged recipients to call various members of the City Council and ask them to delay the vote. It says changing renter screening would hurt residents of affordable housing communities by diverting money to legal and administrative costs.

"We are to a place where we're looking for any way to get the message out that the services these communities provide are vitally needed," said Deborah Imse, the industry group's executive director. She added that she would contact the contractor making the calls to ensure they are in compliance with regulations.

Andy Miller, the executive director of the affordable housing nonprofit Human Solutions, said he received one of the robocalls.

"It's kind of shocking," he said. "I disagree, obviously, with the basic premise."

Miller said his organization supports the ordinance because it will further the goals of the Fair Housing Act, which prohibits housing discrimination against certain groups, and improve access to housing for people with barriers such as criminal convictions or poor credit.

He said his group does have concerns the policy could increase costs for providing affordable housing, which already operates on slim margins because of the low-income residents served.

"As an affordable housing provider, we had some reservations about the complexity," he said. "We are hoping in good faith that Commissioner Eudaly's office will actively monitor the ordinance to ensure it achieves its intended effect without huge administrative burdens."

Eudaly said in the Facebook post that the ordinance "will not take away from low-income housing programs or programs that serve seniors or people with disabilities."

Imse said she stands by the content of the calls. Given affordable housing providers' slim budgets, the administrative costs of the policy would result in fewer services or poorer living conditions.

“The money is going to have to come from somewhere,” she said.

The policy is aimed at limiting landlords’ use of past criminal convictions, credit scores and income to screen tenants. It offers landlords two choices:

A “low-barrier” screening regimen that’s more forgiving of older criminal convictions or past credit issues;

Or the landlord’s own screening but with new demands. The landlord would, for example, have to weigh “supplemental evidence” submitted by a prospective tenant, say participation in credit counseling. If landlords deny the application, they must outline the reason for denying the application, specifically addressing any supplemental evidence.

Landlords also could only require tenants to earn up to two times their rent in income, or 2.5 times for apartments with lower rents. That’s a lower threshold than the three times the rent many landlords require today.

Landlords have argued the policy puts them in a bind: rent to tenants who don’t live up to their standards, risking damage or legal costs later on; or take on extra legal liability and costs up front to use their own screening standards.

Eudaly’s staff has argued that convictions and poor credit unfairly bar tenants from finding decent housing, especially in a tight rental market, but aren’t a good predictor of whether that tenant will pay the rent on time, face eviction for lease violations or leave the home in poor condition.

Survey: Portland police response to people in mental health crisis is ‘poor,’ but officers do good job fighting crime

By Maxine Bernstein

May 29, 2019

Five years after the city promised to improve its officers’ handling of people suffering from mental illness, 42 percent of the people who answered a community survey rated the Portland police response as poor or very poor.

Among respondents who said they have a personal history of mental health issues or a family member who suffers from mental illness, 56 percent described the bureau’s response as poor.

More than four in 10 residents also indicated they thought Portland police used more force than necessary when dealing with people in a mental health crisis or people of color.

The survey was done by Portland-based DMH Research through a mailing to 6,500 random residential addresses in Portland between Jan. 25 and March 3 and is a requirement of the city’s 2014 settlement agreement with the U.S. Department of Justice.

The city released the results a week before lawyers from the city and Justice Department are set to return before a federal judge reviewing the case.

Only 21 percent of surveys mailed, or 1,380, were returned.

The settlement followed a federal investigation that found Portland officers too often used stun guns or excessive force with people having a mental health crisis. It called for significant changes to police policies, training and oversight, including offering more extensive crisis intervention training to officers.

"Managing public perceptions related to the work we do and how we do it is one of our biggest challenges," Portland Police Chief Danielle Outlaw said in a prepared response to the survey.

The chief noted the Justice Department recently found that the Police Bureau has substantially complied with required reforms on crisis intervention, but that its work continues. The bureau also is working with outside social service agencies to try to reduce police response to mental health crisis calls that don't warrant officer involvement, she said.

"We continue to assess and train our staff to have the tools they need to handle these calls with compassion. We are a learning organization and are constantly striving to improve," according to the Police Bureau's written response to the survey results.

All officers undergo 40 hours of crisis intervention training and 146 Enhanced Crisis Intervention Team officers get a total of 80 hours of such training, according to the bureau. Outlaw cited the recent successful five-hour effort by police to talk a man in crisis down from a construction crane in Southeast Portland and encounter in the last week when officers pulled someone attempting suicide back in through a window.

"These are only two examples of many with similar outcomes due to the work of compassionate PPB officers," the chief said. "We are encouraged to hear that those who directly interact with us believe they were treated fairly and we will continue to strive for excellence."

Close to half, or 48 percent, of the residents who responded found that police do a good or very good job fighting crime. Most said they'd report a crime they witnessed in their neighborhood or would work with police to identify an offender.

But a consistent theme came out in the survey that residents have repeatedly voiced to city and police leaders: Members of marginalized communities reported more negative views of the Police Bureau and less positive interactions with officers.

About 23 percent agreed that Portland police may stereotype people because of their race or ethnicity.

In other survey questions:

- 78 percent said they had not seen foot patrols in their neighborhood in the past year.
- 30 percent said they feel safe walking alone in the city's downtown at night, slightly below the 32 percent from a 2016 survey. That's in contrast with 59 percent who said they would feel safe walking alone at night in their neighborhoods.
- A third said they had contacted Portland police to report a crime or seek help, and most of those who did said they were treated fairly.

"Overall, results suggest that Portland residents hold a positive view of Portland police when it comes to fighting crime. They remain concerned about how police may treat people of racial and ethnic minority groups and those with mental health conditions," DMH Research wrote in its report.

"People within those marginalized communities have elevated concerns about police behavior and lower levels of trust that they will be treated respectfully."

Lawyers for the city and Justice Department will return June 6 before U.S. District Judge Michael H. Simon to update him on how the city's approach is working to involve the community in overseeing police reforms.

The judge in January gave only "conditional" approval to the city's creation of a new Portland Committee on Community-Engaged Policing, a group of volunteers formed to help oversee the reforms. It held its first public meeting in November. Its predecessor disbanded in January 2017 amid acrimony and lack of support.

The Portland Tribune

Survey: Portlanders split over police performance

By Jim Redden

May 29, 2019

Police chief insists bureau is working hard to overcome past problems and cites progress made in complying with US Department of Justice settlement

Portlanders are split about the Portland Police Bureau. When it comes to fighting crime, the view is largely positive, with nearly 90 percent of residents saying they would work with police to solve crimes in their neighborhoods. But many fault the police when it comes to values, management, respect for community relationships, racial profiling, and responding to mental health issues.

Those are among the result of a new survey released by Mayor Ted Wheeler's Office on Wednesday, May 29. It was conducted by DHM Research as a requirement of the city's settlement with the U.S. Department of Justice over complaints of police excessive force against the mentally ill.

Police Chief Danielle Outlaw said the bureau is working hard to address the concerns expressed in the survey and to inform Portlanders of the progress being made.

"Managing public perceptions related to the work we do and how we do it is one of our biggest challenges. The DOJ has found us in substantial compliance in all areas related to our response to those in mental health crisis as a result of the diligent work we have been doing," Outlaw said in a response.

Outlaw cited two recent examples of how the police are helping those in crisis.

"Officers recently spent five hours working to get a person in crisis to come down from a construction crane with a successful outcome. In another incident this week, officers pulled a subject back in through a window as the subject was attempting suicide. These are only two examples of many with similar outcomes due to the work of compassionate PPB officers. We are encouraged to hear that those who directly interact with us believe they were treated fairly and we will continue to strive for excellence," Outlaw said.

The results are similar to similar surveys conducted in the past, including:

- Residents view the police bureau most positively when it comes to activities directly related to fighting crime. Close to half, 48%, said the bureau had done a good or very good job fighting crime. Over eight in ten would call the police to report a crime they saw happening in the neighborhood (87%) or would work with the police to identify a person who committed a crime in their neighborhood (86%).
- Of those who had contact with the police, the majority report they were treated fairly. Of the one in three residents who had contacted the police to report a crime or ask for help, the majority (88%) said they were treated fairly and were satisfied with the experience (86%). Of the one in

ten residents who had been contacted by a police officer — including warnings, traffic stops, citations, or arrests — 78% said they were treated fairly.

- Residents perceived Portland police less positively when asked to evaluate the bureau's values, management, respect for all, community relationships, and use of racial profiling. Negative opinions outweighed positive opinions when it came to whether the police treat individuals disrespectfully because of race or ethnicity, how the police treat those with mental health issues, racial profiling, and strength of community relationships.
- Residents rated the bureau's performance lowest on responding to mental health issues in the community. Four in ten rated the bureau as poor or very poor when it comes to responding to mental health issues (42%). This is a drop of 14 points from 2016, when 28% rated the bureau poorly. A majority of those with a personal history of mental health issues or a family member with mental health issues evaluated the bureau poorly (56%).
- More than four in ten residents indicated that they thought the police used more force than necessary when dealing with racial or ethnic populations (47%) or people experiencing a mental health crisis (47%). Fewer thought police used more force than necessary when dealing with other groups,
- Responses throughout the survey echo a consistent theme: members of marginalized communities have more negative views about the police and have less positive interactions with police officers. A majority of Native American respondents (85%), African American respondents (74%), Native Hawaiian/Pacific Islander respondents (55%), and those who identify as Hispanic/Latino (55%) are concerned that the police may stereotype them based on their race or ethnicity. Those who have a history of mental illness and those who have a physical health condition also expressed heightened concern about potential stereotyping. Around one in four of those with a mental health condition (26%) and those with a physical disability (27%) agreed that they were worried about being stereotyped by the police.
- There was also a heightened concern about use of force among several of these same communities. A majority of Native American respondents (87%), African American respondents (70%), and those who identify as Hispanic/Latino (63%) agreed that Portland police use more physical force than necessary when dealing with racial or ethnic populations. In addition, 61% of those who had a history of mental health issues themselves or had a family member with mental health issues thought Portland police use more physical force than necessary when dealing with people experiencing a mental health crisis.
- By and large, residents are unsure whether the bureau is taking steps to improve services. Residents did not know whether the bureau had undertaken specific activities to improve services. Only a minority were most aware the bureau was training officers to help people who are having a mental health crisis (37%) or training officers to work with people from diverse racial and ethnic backgrounds (36%).
- Skepticism was highest when it comes to investigations of and accountability for officers. Residents were more likely to think the bureau had not taken steps to improve in these areas than to believe the bureau had.

In its response, the bureau also said that officers use force rarely, that there is a very small difference when force is used between racial groups, and that officers are being trained to respond to those experiencing a mental health crisis.

"We are a learning organization and are constantly striving to improve," the bureau said.

DHM Research administered the survey on behalf of the City of Portland, Compliance Officer and Community Liaison, and the Portland Committee on Community-Engaged Policing. The survey was conducted by mail to 6,500 households. A total of 1,380 valid surveys were returned. The margin of error is plus or minus 2.6%.

You can read the survey [here](#).

Sources: Council center holds in budget vote

By Jim Redden

May 30, 2019

Plus, plan to improve 82nd Avenue approved and Apple deal with TriMet not the first

It looks like the balance of power hasn't shifted on the City Council after all.

The three women members of the council did not vote against the two men on next year's budget last Thursday, May 23. Only Commissioner Jo Ann Hardesty voted against it.

When Hardesty was elected to the council last year, some City Hall watchers speculated she would consistently team with commissioners Chloe Eudaly and Amanda Fritz to form a progressive voting bloc. That happened earlier this year when the three of them outvoted Mayor Ted Wheeler and Commissioner Nick Fish to pull Portland out of the FBI Joint Terrorism Task Force.

But Hardesty was unable to persuade Fritz to back her proposal to defund the Portland Police Bureau's Gun Violence Reduction Team and body camera pilot program. Eudaly supported the cut as a "protest vote," but Fritz voiced her support for the police team and voted with Wheeler and Fish to keep both programs.

Hardesty could not persuade Eudaly or Fritz to support her proposal to block cost of living increases for non-represented employees earning more than \$80,000 per year, either.

82nd Avenue Plan approved

All but lost in the drama over the City Council's budget vote on May 23 was its passage of an ambitious plan to improve 82nd Avenue.

Although it is currently designated a state highway and owned by the Oregon Department of Transportation, the approved plan calls for ODOT to upgrade and transfer the major East Portland thoroughfare to the Portland Bureau of Transportation, which envisions a more transit, pedestrian and bike-friendly route. Among other things, the new 82nd Avenue Plan calls for widening sidewalks, new crosswalks and improving existing ones, filling in bike lane gaps, and a lower speed limit for much of the street.

It is not an unrealistic goal. ODOT currently is spending millions to upgrade outer Powell Boulevard, which also is a state highway, before it is transferred to the city. And Metro is considering a regional transportation funding measure for the November 2020 ballot that could help fund future improvements.

Apple deal not so big

TriMet's announcement that its Hop Fastpass is now available on Apple phones and watches generated a lot of press coverage last week. But the same service has been available on Google and Samsung phones for some time.

All three companies allow users to add the electronic passes to their "wallets," allowing riders to board after waving their phones and watches at the readers on MAX platforms and in buses and Portland streetcars.

Apple owners may well find that adding the pass to the phones and wallets is more convenient than using the plastic card. But it means much more to the company. When Apple CEO Tim Cook announced the partnership with TriMet and C-Tran in March, he said it was part of Apple's master plan to replace all cash and credit card transactions with its own payment system — called Apple Pay — around the world. Cook said his goal is for everyone to use Apple Pay for all purchases in the future.

Industry experts weren't impressed. CNN Business reported that the industry response was "underwhelming" and called Apple Pay's features "run-of-the-mill."

Eudaly seeks renewal of gas tax despite critical audit

*By Zane Sparling
May 30, 2019*

Ten-cent per gallon tax, which funds Fixing Our Streets program, will be back on Portland ballot in 2020

Portland's transportation bureau is running late — missing its own deadlines to fix ruptured roads and sidewalk gaps using money from Portland's gas and semi-truck taxes, government auditors say.

The Portland Bureau of Transportation created the Fixing Our Streets program after residents and elected leaders approved two new funding sources in May, 2016.

First, voters gave the thumbs up to a 10-cent per-gallon gas tax, which will expire in two years. But since Portland's lone Jubitz truck stop on North Vancouver Way was exempted from that fee, City Hall also enacted a tax for vehicles weighing more than 26,000 pounds.

Auditors say the heavy vehicle tax generated \$1.8 million in its first year — about \$700,000 less than predicted. In response, the City Council voted last November to remove a rule requiring commissioners to raise the tax if it missed such revenue goals.

"Heavy vehicle owners did not pay their share," concludes a summary of the city audit, which was published Wednesday, May 29.

PBOT also received poor marks for providing "incomplete, inconsistent and outdated" information to the volunteer oversight committee. That said, chief auditor Mary Hull Caballero found that most of the completed street projects are on budget and consistent with what was promised at the ballot box.

Despite the bumps in the road, a spokesman for Commissioner Chloe Eudaly, who oversees PBOT, says her team will "enthusiastically implement" the audit recommendations:

"Yes, the plan is to ask voters to reauthorize the local gas tax in 2020," said Eudaly's chief of staff, Marshall Runkel, in a statement to the Tribune. "We have a major street maintenance problem. Without the local gas tax, we will fall even farther behind."

PBOT went on the defensive ahead of the audit, blasting out several press releases touting Fixing Our Streets' successes. The bureau's interim director, Chris Warner, says the agency will complete 20 projects this year, including the \$9 million Foster Streetscape project, as well as

starting another 21 projects involving sidewalks, street repairs, safer routes to school and new bike lanes.

"We were especially gratified to see your conclusion that the projects were consistent with those promised to voters and that most projects were on budget," Warner said. "We will take your recommendations under consideration and work to implement them effectively."

Fixing Our Streets

Here are the key findings from a recent city audit of the transportation bureau's pavement program:

- Of the 59 projects sold to voters, 38 were scheduled to start before 2019. In reality, only 12 have begun — and just eight are done.
- Of the eight projects finished through 2018, four were on budget, two were over budget by a combined \$1.2 million, and two were completed under budget by \$300,000 total. PBOT says the initial prices were estimates, and notes that finding buried streetcar rails triggered costly unexpected changes.
- The Fixing Our Streets oversight committee did not provide timely annual reports to the Council and received inaccurate financial data; its members said they wanted to do more to monitor construction impacts for business owners and residents. PBOT blamed a new project management software, e-Builder, for inconsistencies and said it does not have a system to assess the community impact of road work.
- While leaders swore to use 56% of the Fixing Our Streets fund for street repair — and the rest for safety projects — that distinction was difficult to maintain, as state and federal laws mandate safety features, such as Americans with Disabilities Act improvements, when rebuilding roads. PBOT says tactile yellow curb ramps can cost \$5,000 to \$20,000 each

Willamette Week

Community Survey Suggests People Think Portland Police Treat People With Mental Illness Worse Now Than Three Years Ago

By Katie Shepherd

May 29, 2019

Most people had good things to say about police when they are focused on fighting crime.

The number of Portland residents who rated police response to people with mental illness as "very poor" jumped from just 5 percent in 2016 to 16 percent in the latest community survey gauging public perception of the Portland Police Bureau.

More than 40 percent of residents ranked the bureau's response to mental health as "poor" or "very poor."

That perception may have been influenced by several high-profile police shootings, some of which involved people suffering a mental health crisis. Since 2017, Portland police have fired shots in 14 cases, according to data published by the bureau.

PPB has been under a settlement agreement since 2012, after the U.S. Department of Justice found Portland police had a pattern and practice of using force against people suffering from mental illness. The bureau has been working for more than six years to comply with that agreement, which required the city to conduct the survey.

"The DOJ has found us in substantial compliance in all areas related to our response to those in mental health crisis as a result of the diligent work we have been doing," Chief Danielle Outlaw said in a statement responding to the survey results. "PPB officers recently spent five hours working to get a person in crisis to come down from a construction crane with a successful outcome. In another incident this week, officers pulled a subject back in through a window as the subject was attempting suicide. These are only two examples of many with similar outcomes due to the work of compassionate PPB officers. "

The Police Bureau performed better on other questions in the survey. More than half of people who reported direct experiences with police said they were "treated fairly." One in three respondents had contacted the police to report a crime and 86 percent of those people felt satisfied with the police response to their calls for help.

Nearly 60 percent of respondents said they felt "safe" or "very safe" walking alone in their own neighborhood at night. Only 30 percent said the same about walking alone in downtown after sunset.

Most people viewed the police in a positive light when thinking about crime prevention and investigation, according to the survey findings. Most people said they would call the police if they saw a crime occur and would cooperate with officers investigating a crime.

Still, slightly fewer than half of respondents said they felt PPB did a "good job" or "very good job" fighting crime.

That perception may come down to declining stops and clearance rates, which the bureau has blamed on low staffing levels. In 2016, PPB data shows officers only made arrests in 6 percent of sexual assault investigations. Similarly, DUII arrests have been decreasing as fewer officers work in the traffic division.

Survey respondents also voiced concern about how police treat people of color and marginalized communities. The vast majority did not know what steps the Police Bureau had taken to improve its services to the public.

"Managing public perceptions related to the work we do and how we do it is one of our biggest challenges," Outlaw said in a statement. "We are encouraged to hear that those who directly interact with us believe they were treated fairly and we will continue to strive for excellence."