

The Oregonian

Joey Gibson says Portland treats him like 'violent racist Nazi' and asks judge to move lawsuit, trial to another county

By Aimee Green

July 23, 2019

Joey Gibson, founder of the right-wing group Patriot Prayer, is asking a Multnomah County judge to move a \$1 million lawsuit against him outside the Portland area because he believes he can't get a fair trial in a place he says is biased against him.

“(T)he political environment within Multnomah County and the City of Portland is so hostile and prejudicial that anyone who dares treat me as anything other than a violent racist Nazi will suffer adverse consequences,” Gibson wrote in court filings this week.

Gibson, who is from the Vancouver area, argues in a signed declaration that potential jurors drawn from in and around Portland are tainted, given prejudicial statements he says have been made against him by Portland Mayor Ted Wheeler, City Commissioners Jo Ann Hardesty and Chloe Eudaly and U.S. Rep. Earl Blumenauer, D-Oregon. Gibson also says media coverage has falsely labeled him as a white supremacist and far-right extremist.

Gibson's declarations are part of his response to a Circuit Court lawsuit filed against him, Patriot Prayer and several other men associated with his group. The owner of Cider Riot, a Northeast Portland pub, claims they interfered with his business by showing up May 1 and inciting violence and fights.

One frequent Patriot Prayer participant allegedly knocked a female pub patron unconscious after striking her on the head with a baton, according to the suit. Cider Riot was hosting a May Day celebration for those who had taken part in protests earlier that day.

Gibson's court papers describe it as an anti-fascist event at an “Antifa bar.” Gibson has regularly clashed with the group.

No trial date has been set to hear the lawsuit case, but Gibson and his attorney filed Monday more than 100 pages of motions and declarations, asking for a change in venue. Portland attorney James Buchal, who is defending Gibson against the lawsuit, said in the court documents that opponents pounce on Gibson when he sets foot in Portland.

“Here, the degree of community hostility is extraordinary, to the point where Mr. Gibson cannot appear in public in Multnomah County without encountering masked residents who spit upon him and physically attack him,” Buchal wrote.

Gibson said before hiring Buchal, he contacted nearly two dozen lawyers, but most of them didn't respond. Of the half dozen who did, some explained they wouldn't take him on as a client out of fear over how the community would react, he said. Buchal is chairman of the Multnomah County Republican party.

Gibson has led marches and rallies in Portland and other liberal bastions on the West Coast, including Seattle, Olympia and the Bay Area, often provoking strong — and sometimes violent — opposition. Bloody brawls between Patriot Prayer supporters and counterprotesters have become a fixture at Gibson's events in Portland. Last year, Portland police declared one of them

a riot after right-wing and left-wing demonstrators clashed in downtown using fists, clubs and other weapons.

Gibson's demonstrations have drawn criticism because they've attracted white nationalists and others who promote racist views. In Portland, speakers have included Kyle Chapman, who earned the nickname "Based Stickman" after a video showed him hitting an antifascist activist with a wooden sign post in Berkeley.

In court papers, Gibson also is asking a judge to throw the case out on the grounds he was exercising his free speech rights outside the pub May 1.

Buchal said Gibson was peacefully recording video of the scene from a public sidewalk when he was repeatedly pepper-sprayed in the face, spat at and subjected to flying objects. Gibson's involvement is protected by the state's anti-Strategic Lawsuits Against Public Participation law, also known as the anti-SLAPP law, he said.

"This is a textbook case ... in which plaintiffs unabashedly seek to misuse the Courts of Oregon as a tool to silence Mr. Gibson's First Amendment activity in what is quintessentially public space for First Amendment activities: the streets and sidewalks of Portland," Buchal wrote.

In his declarations, Gibson described himself as "confrontational" and said he expects antifa activists will react with violence at his appearances but that he's not violent himself.

On the evening of May 1, he went to Cider Riot knowing that antifa supporters had gathered there and that his own followers would be just off bar premises, too, he said.

He began to live stream the scene on Facebook, showing masked antifa members sitting on the patio.

"As part of my goal was to show the violent and ugly nature of the Antifa members present, in response to their demands that I leave the area, I dared them to do something," Gibson wrote.

Someone spit on him, so he wiped the spit back on the person, he said. He was pushed and his cellphone was knocked to the ground, he said. An antifa member apparently threw a drink toward someone on the sidewalk, then "some of the people" started pepper spraying each other, he said.

"At this point, I remarked that there was now a riot at Cider Riot, and that the Antifa members had taken the bait, meaning that they had responded to my presence, and the presence of others, with violence, and had, as usual, initiated it," Gibson wrote in the court documents.

Man suing Portland police over hate crime report

By The Associated Press

July 23, 2019

A man is suing the Portland Police Bureau after he said officers disregarded his report on a possible hate crime.

Oregon Public Broadcasting reports Chuck Crockett, who is black, said he reported the crime to the North Portland Precinct March 15.

He says the tepid response from police officers made him feel like his trauma did not matter.

According to Crockett he was driving in Northeast Portland March 13 when he encountered a car driving well below the speed limit, so he honked. He says as he went around the car it tried to hit him and then followed him. Crockett says when he eventually pulled over a white man got out and yelled at him using racial slurs.

Crockett says when he went to report, white officers would not help him.

City attorneys have filed a motion to dismiss the suit. City attorneys contend Crockett wasn't denied a right to make a police report but told instead to call the police non-emergency line and an officer would be assigned to take his report, as he had alleged he wanted to report a hate crime that he said he had experienced "a few days earlier."

"The Complaint does not allege any facts to support the conclusory allegation that the desk clerk was lying about the process for making a police report and does not allege any facts which could be read to suggest the desk clerk's instructions were racially motivated or intended to prevent Plaintiff from making a police report," Deputy City Attorney Ryan C. Bailey wrote to the court.

Bailey also noted that an officer did take his report.

"There are no facts alleged that could be construed to suggest different procedures for making a police report apply to white and black individuals. Accordingly, Plaintiff has not alleged a plausible, actionable claim under either a negligence or intentional tort theory."

The case is in U.S. District Court in Portland, assigned to federal District Judge Marco A. Hernandez.

The Portland Tribune

Fight over civic engagement advances to Portland council

By Jim Redden

July 24, 2019

Activists lobby against deleting neighborhood groups from city code, supporters say reform overdue

The fight over revising Portland's civic engagement process has moved to the City Council.

Although the city Office of Community and Civic Life is still rewriting the process, neighborhood activists already are lobbying the council against removing neighborhood associations from the City Code.

A citizen committee advising the office voted to recommend removing all references to the city's 95 neighborhood associations from the code on July 18.

Supporters say the change is necessary because an increasing number of Portland residents belong to communities that are not geographically well-defined.

"We need all of us and not just some over others. That is not government's role, to pick winners and losers," office director Suk Rhee told the City Club of Portland on July 12. Rhee also said neighborhood associations would not be abolished even if they are removed from the code.

But neighborhood activists said the change will betray decades of successful civic engagement without guaranteeing a more accountable system. Under the current code, neighborhood associations must comply with the public meeting and records laws.

"The Portland system has worked well over the years. Books have been written about our system of 'urban democracy' and it has been used as a model for many other cities," Eastmoreland activist Robert McCullough posted on the Next Door Neighbor blog.

The advisory committee made several last-minute changes to the proposal at its July 18 meeting, and the office still needs to finalize it. The council has scheduled a Sept. 3 work session to discuss the proposal.

But several neighborhood associations are already urging their members to sign an online petition to the council to keep the associations in the code.

"Neighborhood associations are by definition geographically inclusive of all their residents, and can more easily be held — as they should be — to that higher standard of open, transparent and democratic governance," reads the petition, which had gathered more than 945 signatures by press time.

The Elisabeth Jones Arts Center also has opened an exhibit and launched a postcard campaign to support the neighborhood associations. The exhibit is called "Neighborhood Associations Rock!" It includes paintings and photographs of projects supported by neighborhood associations.

They include a painting of the Columbia Pool in North Portland that the area neighborhood association tried to save for Portland Parks & Recreation budget cuts. The center is at 516 N.W. 14th Ave.

Speaking to the City Club of Portland on July 12, a Portland State University professor emeritus said neighborhood associations were the first influential grassroots organizations beginning in the 1960s.

He suggested that some city officials might be annoyed with them now because they oppose current redevelopment policies, such as increasing residential densities.

Willamette Week

Oregon's Ban on Single-Family Zoning Could Combat Global Warming—If Democrats Don't Let Sprawl Win

Metro lobbyist Randy Tucker says Realtors want “to rig the land use system in ways that turn Portland into Houston.”

*By Rachel Monahan
July 24, 2019*

The recently ended session of the Oregon Legislature is best known for the climate bill that got away. Republican senators fled the state to block a plan to cap and trade carbon emissions, and Democrats abandoned the idea.

But after persuading the GOP to eventually return, Democrats did pass a different piece of environmental legislation last month with Republican help.

House Bill 2001 makes Oregon the first state to end single-family zoning in cities larger than 10,000 people. While it is thought of as a housing bill, it also could have major carbon benefits. The bill could increase the density of Oregon's cities—which in turn could decrease carbon emissions.

"It's an important piece of the puzzle," says Steve Novick, who championed dense housing while on the Portland City Council. "A huge percentage of carbon emissions comes from cars, and from heating and cooling houses.

"We know that when enough people live within walking distance of each other, a grocery store will spring up that they can all walk to instead of drive to. We know that when people live in smaller multifamily units with shared walks, they use less power for heating and cooling than people who live in single-family houses."

But some worry the environmental benefits of HB 2001 would be undermined if the metro area responds by expanding the urban growth boundary, the invisible belt within which development must occur.

House Bill 2001 compels Oregon cities of more than 25,000 to allow buildings as large as four units in neighborhoods currently zoned for single-family housing. Large cities have until 2022 to come up with plans.

That could have a big effect on housing affordability but also the use of fossil fuels.

"The sooner cities are able to implement these changes, the sooner we will see those benefits to address both the housing crisis and the climate crisis," say House Speaker Tina Kotek (D-Portland).

The Sightline Institute, a Northwest-based sustainability think tank, projects that a shift from single-family dwellings to multi-unit buildings on one city block would result in about 20 percent less energy use by households in those buildings, assuming dwelling sizes were smaller.

And that doesn't factor in savings from reductions in miles driven. Increased density means more walking and less driving, resulting in less emissions from cars.

Another Sightline analysis found that increasing density by one-third on a block of 21 single-family homes could cut vehicle miles by 1,000 miles per household per year.

But the impact of the bill could be blunted. The real estate industry joined in supporting the bill thanks to a provision that could ease its push into the suburbs.

Every six years, Metro, the regional government responsible for land use planning, is required to determine if the Portland area has a sufficient inventory of buildable land. If not, Metro must expand the urban growth boundary.

But HB 2001 gives developers a new weapon in their fight to expand the boundary. It creates new math for how Metro calculates how much land is needed for housing. And it gives developers more opportunities to challenge Metro's decisions.

Metro is alarmed.

"The amendments demanded by the Realtors are part of their effort to force expensive sprawl onto farm and forest land, to rig the land use system in ways that turn Portland into Houston," says Metro lobbyist Randy Tucker. "While Metro opposed these amendments, we continue to believe that smart reforms to the system, like HB 2001, can improve housing opportunity while protecting the farms, forests and clean water we all value about this place." Kotek doesn't see a problem.

"The intent of the bill was to address the barriers to more diverse development in cities, within urban growth boundaries," she says. "Oregonians value their land use system, and the intent of the bill was not to change the process for setting UGBs."

Mary Kyle McCurdy, deputy director of the land use nonprofit 1000 Friends of Oregon, says Metro's analysis was already "rigorous." "I don't think it's going to lead to different conclusions."

But the real estate industry likes the opportunity it created.

"[HB 2001] made significant improvements to how they calculate buildable land and housing needs," says Shaun Jillions, a lobbyist for the real estate agents. "That was the bigger carrot."

The changes got the real estate industry on board—and, with them, Republicans who might have been reluctant to vote for a bill championed by the Democratic leadership.

Michael Andersen, a senior researcher at the Sightline Institute, says HB 2001 could be a significant step forward. But that won't be enough to address global warming—Oregon must also restrict carbon emissions.

"Climate action requires every viable tool to reducing carbon," says Andersen. "One of those tools is to use carbon pricing to make the prices of our purchases tell the truth about environmental costs. Another of those tools is legalizing energy-efficient housing. We should do both."

Portland Politicians Targeted In Racist Screeds

Metro Councilor Juan Carlos González and Portland City Commissioner Jo Ann Hardesty both issued statements after receiving racist insults on their Facebook accounts and other social media platforms.

*By Katie Shepherd
July 23, 2019*

Last week, national media attention focused on President Donald Trump's use of a racist trope to tell four sitting congresswomen to "go back" to other countries. At the same time, two Portland politicians were dealing with similar attacks.

Metro Councilor Juan Carlos González and Portland City Commissioner Jo Ann Hardesty both issued statements after receiving racist insults on their Facebook accounts and other social media platforms, as first reported by the *Portland Tribune*.

"When the office of the President makes racist and xenophobic statements, it emboldens our neighbors to attack those of us that are 'foreign,'" said González, who was born and raised in Oregon. He received five Facebook messages implying otherwise. "We are fighting for the soul of this country," he says.

Hardesty also received more than a dozen anonymous, racist comments after challenging the Oregon Department of Transportation's policy to use boulders to discourage homeless people from camping on ODOT property.

"If you disagree with me," she said, "let's talk like adults."

The Daily Journal of Commerce

Portland holding steady in latest crane count

*By: Josh Kulla
July 24, 2019*

Seattle and Los Angeles share the national lead in construction cranes at 49 each, international construction consultant **Rider Levett Bucknall** announced recently.

Toronto is no. 1 in North America with 120 cranes deployed during the second quarter of 2019. It's followed by Seattle and Los Angeles, and then Calgary, Alberta, with 34 cranes and Portland with 30.

New York City (27), San Francisco (23), Honolulu (4) and Seattle saw their crane counts drop, while Chicago (27), Toronto and Calgary saw theirs rise slightly. Counts for Denver (18), Boston (14), Los Angeles and Portland remained steady.

The report suggested the construction industry as a whole is strong with a healthy project pipeline in place. The monthly backlog of commercial, institutional, industrial and infrastructure

projects rose 17 percent from 2011 through 2018, according to the firm's latest Crane Index and Quarterly Cost Report for North America. And with a 9.15-month average duration during 2018, the backlog is the highest in a decade.

However, there are signs that the industry might also be headed toward the "valley" part of the construction cycle, according to Julian Anderson, Rider Levett Bucknall president of North America.

"As the industry continues to adapt to a chronic craft-labor shortage and on-again/off-again trade wars and tariffs, several markets appear to be softening," Anderson stated in a press release.

Also, the national average increase in construction costs in the U.S. from Jan. 1 to April 1 was approximately 1.12 percent, according to the report. San Francisco (2.50 percent), Chicago (2.11 percent) Seattle (1.56 percent), Honolulu (1.53 percent), Portland (1.28 percent) and Phoenix (1.14 percent), showed the greatest cost increases during the second quarter. Only Los Angeles (minus 1.22 percent) saw costs decrease.

The biannual Crane Index is compiled with a one-day physical count of fixed-tower cranes on city skylines, a survey of Rider Levett Bucknall experts on the ground in each location, and interviews with local crane suppliers.

The Observer

Penson Takes Oath

Begins term on Portland Community College board

*By The Portland Observer
July 24, 2019*

Tiffani Penson, an education advocate from the African American community and a city hall staffer promoting equity in city contracting has started her first four year term on the Portland Community College Board of Directors. On Thursday Penson took the oath of office from Oregon Supreme Court Justice Adrienne Nelson, the first African American ever to serve on the state's highest court.

Nelson swore in all of PCC's new directors during the special ceremony. Penson was elected by voters in May to represent PCC's Zone 2, which covers north and northeast Portland along and Columbia County.

A native Oregonian and the supplier diversity officer for the city of Portland, Penson's responsibilities include outreach to disadvantage, minority, women, emerging small businesses and service disabled businesses.

She implemented and manages the Minority Evaluator Program, which requires city bureaus to include at least one minority evaluator from the community to serve on evaluation panels awarding formal contracts. She also serves on the board of Architecture Foundation of Oregon, Bound for A Cure, Kairos PDX, and Oregon Native American Chamber.