

The Oregonian

City of Portland to settle ‘extreme hazing’ lawsuit for \$80,000

By Brad Schmidt

July 28, 2019

The city of Portland is finalizing an \$80,000 settlement to end a lawsuit by a former employee who alleged “extreme hazing” by city transportation workers.

Adam Rawlins claimed in U.S. District Court that he was subjected to verbal and physical hazing for several months in 2016, including one incident where Rawlins was photographed while bound by zip ties and duct tape inside a city shed.

A consultant later hired by the city found a “don’t snitch” culture within the maintenance operation of the Portland Bureau of Transportation. But city officials said the incident appeared to be isolated.

Rawlins sued the city last year in state court seeking \$250,000 before moving his case to federal court in pursuit of \$660,000. His attorney, Benjamin Rosenthal, planned to argue that hazing had been a longstanding practice within with transportation bureau.

Rosenthal declined to comment Sunday.

The settlement heads to the Portland City Council for approval Wednesday. The city’s risk management division found that “there is risk the city may be found liable.”

Neither Tracy Reeve, Portland’s top attorney, nor Chris Warner, Portland’s transportation director, immediately responded to calls or emails for comment Sunday.

According to the lawsuit, Rawlins’ coworkers called him derogatory names on a daily basis and subjected him to various physical attacks.

Among other things, city employees used an air compressor to shoot metal screws, wooden strips, popcorn kernels and hard candy at Rawlins, according to his lawsuit. Rawlins also was required to sit in the back of a city truck while a coworker “punched and contorted the nipples” on Rawlins’ chest, the suit claims.

Rawlins resigned from his city job as a utility worker earlier this year.

Portland City Council to vote on \$60 per-unit landlord fee

By Gordon Friedman

July 26, 2019

The Portland City Council is scheduled to vote Wednesday on whether to charge landlords \$60 per unit to operate the city renter services department.

The mayor and commissioners created the Renter Services Office in 2017 to handle landlord-tenant issues, enforce fair housing laws, run an evictions payment program and administer a rental registration database.

A city analysis recommends a yearly \$60 per-unit fee to fund the office's work, adjusted for inflation every year. If approved, it would collect up to \$3.9 million in its first year. The ordinance before Council does not establish a late fee.

Rental units guaranteed to be affordable under federal government standards would be exempt from the fee, as would landlords who earn no more than 60 percent of the median household income.

A central element of the Renter Services Office is the promise that it will establish and monitor an accurate census of rental units in Portland. Landlords are to register their units on yearly tax filings.

City commissioners have expressed strong support for the registry, saying additional data will help them assess Portland's housing supply and craft better policy.

Several other West Coast cities including Seattle, San Diego and even Gresham already have rental unit registries.

City of Portland set to pay \$287,500 to settle lawsuit stemming from police cruiser crash

*By Maxine Bernstein
July 26, 2019*

The city is poised to pay \$287,500 to settle a lawsuit against Portland police stemming from a May 2017 collision when a marked police cruiser, racing with lights and siren on to a call involving a man with a gun, ran a red light and crashed into another motorist in a Southeast Portland intersection.

The payout would settle a suit filed by Shelby K. Davis against the city and Officer Joshua Michael Letter in the collision that police supervisors called "preventable," according to court documents.

The proposed settlement is on the City Council's consent agenda for Wednesday.

"The investigation indicates there is risk the City may be found liable," the proposed settlement says. "Therefore, in order to avoid the risk of an adverse jury award, we feel it is prudent to compromise the lawsuit at this time."

Davis suffered head trauma and a traumatic brain injury, a concussion and lasting cognitive and memory loss, injuries to her hip, back and groin, impaired vision, joint pain and post-traumatic stress from the May 28, 2017, crash, her suit said.

In the lawsuit, she accused the officer of failing to pause to check that the intersection was clear when he ran the red light and crashed into her 2001 Toyota Rav4. She was driving north off the Interstate 205 off ramp, across Southeast Stark Street, when the police car, heading west along Stark, "violently collided" with her car, according to the suit.

The city responded in court records that the officer did have a red light but looked to his left before proceeding into the intersection and didn't see any approaching vehicles.

Deputy City Attorney Ashley M. Carter accused Davis of failing to yield to an emergency vehicle and not exercising caution.

“Letter was legally operating an emergency vehicle with appropriate warning lights and audible signal when responding to an emergency call and proceeding past a stop light,” Carter wrote in a response.

Yet the officers’ supervisors, including a sergeant, lieutenant and captain, found that if the officer had properly cleared the intersection, he could have avoided the crash. The captain concluded Letter had violated police policy on emergency driving, according to court records.

“Officer Letter estimated his speed when he reached the intersection to be 30-35 mph, and there is no way to safely clear an intersection at that speed,” a sergeant wrote in records filed in court. “Had he properly cleared the intersection as trained, this collision would not have happened. I discussed this with Officer Letter, and further discussed the fact that no matter what incident he is responding to, he cannot help if he doesn’t arrive safely. He was very receptive to my feedback. He stated that the collision itself was a very hard lesson, and that he has taken it to heart.”

Letter had just started his morning shift at East Precinct. As soon as he drove out of the precinct garage about 6:30 a.m., he responded to a call about a man walking in a neighborhood with a gun.

“My intention was to get there and help the officers apprehend the suspect either on foot or on vehicle if needed,” Letter said in a deposition in the case.

In a police report, Letter wrote that as he approached the I-205 overpass intersection, “I slowed but did not stop and looked to my left and thought there was no one there. I accelerated and hit a vehicle occupied by Shelby who was heading northbound. I hit her on the passenger side almost in the middle of her vehicle. The collision sent me in a spin, and I ended up west of the intersection facing eastbound or back eastbound. I am estimating my speed to be around 30 to 35 miles per hour.”

The Police Bureau expects officers to respond to such calls if they’re available, according to the deputy city attorney handling the case. “Officer Letter knew based on his experience that additional officers help solve these types of emergencies with fewer issues,” Carter wrote.

Davis testified in depositions that she didn’t hear the siren on Letter’s car until it hit her car.

A Multnomah County sheriff’s deputy who responded to the crash noted that, “Letter said he didn’t stop prior to the intersection to verify that the intersection was clear, and that he should have,” according to Davis’ lawyer, Randall J. Wolfe.

That morning, police were looking for a man reported to have been walking around East Burnside Street and Cesar E. Chavez Boulevard with a gun. When they first encountered the man, police fired gunshots at him and the suspect, who was not hit, ran off. He was later arrested and identified as Michael Ervin Grubbe, 51, and found with a BB gun, according to police.

Assault, disturbance, theft calls drop at Portland’s Holladay Park during police-community partnership

By Maxine Bernstein

July 25, 2019

A police-community partnership at Portland’s Holladay Park has shown positive results the last two months: 911 calls about alleged assaults dropped 50 percent, calls about thefts fell 45

percent and disturbance calls decreased by 18 percent between May 5 and July 22 compared to the same period a year ago, according to city figures.

Police are keeping a close eye on the crime statistics as a team of one sergeant and four officers focuses on the Northeast Portland park while encouraging community groups, park rangers and youth outreach workers to maintain a visible presence there.

The drop in calls for service in and around the park blocks is “because of the community-based approach to occupy the space,” North Precinct Capt. Tony Passadore said.

Police turned their attention to the park and surrounding streets over concerns about the high volume of 911 calls to the area. A six-by-10-block area encompassing the park drew 2,236 calls last year, with most of the complaints about “disorder” and property crimes.

While calls to police about assaults and disturbances have fallen since May, calls about stolen vehicles and collisions increased.

City park rangers are riding with police officers twice a week to address problems at the park. Officers have made arrests for drug dealing in and around the park and for shoplifting and thefts at Lloyd Center mall. Police also have issued park exclusions for chronic offenders, according to Passadore.

Volunteers with the nonprofit Because People Matter brought snow-cone machines and music to the park and have fed park visitors with pizza. Volunteers with SOLVE have organized cleaning parties at the park and volunteers from the group Connected continue to walk through the park on Friday nights.

Kris Carico of SOLVE said the organization is committed to helping take care of the city’s parks and keeping “the Lloyd District clean and healthy.” SOLVE volunteers clean up Oregon beaches, parks, neighborhoods and natural spaces.

For at least the past three years, the mall provided at least \$20,000 to enable Portland Parks & Recreation to provide summer programs in the park, but the funding stopped this year because Lloyd Center decided to use that money for programs inside the mall instead, said Robert Dye, the mall’s former general manager.

Instead, a Lloyd District business partnership is providing \$10,000 this summer to refund nonprofit agencies running programs in the park.

Passadore said the goal is to keep community members involved and use the small police team of officers in the future to address other hotspots identified in North Precinct neighborhoods. The officers will remain focused on Holladay Park until September.

“Our goal is to measure our success, learn from it and create a long-term strategy,” he said.

Willamette Week

Portland Politicians Targeted In Racist Screeds

By Katie Shepherd

July 23, 2019

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.

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."

A Developer Planned to Build Mansions in the West Hills. His Daughter Talked Him Into Preserving the Forest Instead.

By Aaron Mesh

July 26, 2019

The city believes Balch Creek contains the healthiest population of cutthroat trout in the city.

A Portland real-estate developer has donated 22 acres of West Hills forest to the Audubon Society, preserving wildlife habitat where he had planned to build 32 multimillion-dollar homes.

The "Pittock Place" property, at the edge of Forest Park in Northwest Portland, will increase the 150 acres of forest the Audubon Society of Portland already owns.

Developer Marty Kehoe says the property was appraised at \$14 million. He had planned to build homes there—but his daughter, Katie, suggested he donate it instead.

"As a family, we talked a lot about this," Kehoe said in a statement. "We loved the property and felt that it would make a wonderful gift—not only to the Portland Audubon, but as a permanent gift to the whole city."

Kehoe and the Audubon Society announced the gift today with a ceremonial ivy cutting. The property will be renamed Katherine Lynn Kehoe Sanctuary, after the person who made the case for its preservation.

Kehoe placed a condition on the gift: The Audubon Society needed to pay off the remaining mortgage. Audubon donors raised \$200,000 to do so.

"We've fought to protect lands like this for over a century, and felt development would eventually happen if we didn't act," Portland Audubon Executive Director Nick Hardigg says. "We also recognized that this would be one of the most valuable gifts to Portland Audubon ever—worth millions—and we are incredibly grateful to the Kehoe family."

The Audubon Society says the Pittock Place forest was one of the most at-risk habitats in the West Hills. Its steep hills are covered by fir and deciduous trees, it's home to birds like the varied thrush and the spotted towhee, and it includes the headwaters of Bones and Balch Creeks.

Portland City Hall is providing \$500,000 to prevent future sale of the property and restore the banks of the streams. Creek bank erosion is one of the biggest threats to wildlife here—the city believes Balch Creek contains the healthiest population of cutthroat trout in the city.

Don't expect to visit soon. The property is entirely undeveloped, with no hiking trails.

The Portland Trail Blazers Don't Like the Look of the Interstate 5 Widening

*By Sophie Peel
July 24, 2019*

The new highway design would block the route from Moda Center's parking garages to the highway, trapping fans near the arena for nearly an hour after games.

The proposed widening of Interstate 5 through the Rose Quarter has drawn fierce opposition. But the latest skeptics are surprising: the Portland Trail Blazers, who play basketball there.

The Blazers might be expected to support a wider highway near their arena. Traffic to and from games at Moda Center is heavy. But on April 1, the Blazers organization wrote a joint letter with the city of Portland, expressing frustration to the Oregon Department of Transportation. That letter has not been reported until now.

The key complaint? The new highway design would block the route from Moda Center's parking garages to the highway, trapping fans near the arena for nearly an hour after games.

"If the current plan for those surface streets isn't revised," the team writes, "this change will create enormous delays for our customers' post-event departure and will result in increased traffic and gridlock on the surrounding surface streets of the neighborhood on a regular basis."

Blazers president Chris McGowan warns in the letter that the current project design would relocate a southbound on-ramp to I-5 and remove traffic from North Williams Avenue.

[McGowan, joined by City Hall's chief administrative officer, Tom Rinehart, points to a 2016 study that says garages take 25 minutes to empty following a basketball game.](#) The study concluded the proposed changes in the project could potentially double that time, and McGowan calls that figure "beyond what's tolerable for eventgoers."

The Blazers aren't satisfied by the state's proposed solution: hiring people to work as flaggers after games. McGowan calls that idea "unsustainable and potentially unsafe."

The Blazers' objection is important. Team owner Paul Allen's death last year has placed the Blazers' future in limbo, and city officials are eager to ensure the team doesn't skip town. Dissatisfaction from the franchise about ODOT's plans is just the latest snafu for a \$500 million highway project that was delayed after environmental advocates punctured several of its rationales this spring.

The letter ends with a cheery reassurance: The Blazers are "confident that our concerns can be addressed during the design phase." But there's also a chilling message: The team says it's been warning ODOT about the parking garage problem since 2012.

Portland's Fast-Food Drive-Thrus Have Been Transformed Into Bike Lanes

*By Hannah Chinn, Ryan Nguyen, and Abbey McDonald
July 23, 2019*

We tested the new rules by riding scooters to the Taco Bell window. It wasn't appetizing. But it was possible.

One year ago, the Portland City Council ordered fast-food restaurants to open their drive-thru windows to patrons without cars.

It's working. A late-night test of the fast-food chains' compliance shows workers don't bat an eye when customers arrive at their windows on foot, bike or electric scooter.

The city successfully transformed its drive-thrus into bike lanes—at least at night when the dining rooms close. And it's not just burger joints: The rules apply to banks and pharmacies, too. If the walk-in lobby closes, people on two wheels have the same rights to the drive-thru as drivers on four wheels.

"You shouldn't have to own a car to patronize a business," says Chris Smith, who crafted the change to the city code as a member of the Portland Planning and Sustainability Commission. "If so, we're basically saying, 'Hey, there's a set of businesses, at least at certain times, you can only patronize if you can wrap a steel can around yourself.'"

Few other U.S. cities require businesses with drive-thrus to serve customers on bikes or foot. The push for the new rule came from the bicycling community, says Eden Dabbs, a spokeswoman for the Bureau of Planning and Sustainability. City officials say they aren't aware of a single complaint since the rules went into effect—either from cycling patrons denied service or businesses objecting to the policy.

Still, WW wanted to test it. On a recent Saturday night, we walked, biked and scootered our way through five popular Portland drive-thrus. During our tour, we inhaled too much exhaust, talked to unruffled employees, and clogged our arteries.

[It wasn't appetizing. But it was possible.](#)

The Skanner

PBOT Announces Resource Fair for Minority-Owned Taxi Companies

July 24, 2019

The Portland Bureau of Transportation (PBOT) is launching a new program, called Taxi Incubator, to help local, minority-owned taxi companies boost their businesses.

To mark the kickoff, PBOT is hosting a Taxi Incubator resource fair on Thursday, July 24 from 4:30 p.m. to 6:30 p.m. at Alberta Abbey located at 138 NE Alberta Street.

The Taxi Incubator program and its partners can offer financing, business assistance and qualifying grants.

“The taxi business is an attractive option for entrepreneurs from Portland’s immigrant and refugee communities,” reads a portion of the PBOT website explaining the Taxi Incubator program. “To help such business people get into the industry and also help existing businesses operate more effectively, PBOT will soon launch a taxi business incubator. This incubator will offer free consulting services to new and existing companies to help them implement best business and financial practices. The program will also help them obtain DMWESB certification and provide advice about how to comply with city codes and other rules.”

To provide this opportunity, PBOT has partnered with FM Burch and Associates and Micro Enterprise Services of Oregon (MESO).

The Portland Observer

New Roots on MLK

By Danny Peterson

July 24, 2019

Alberta Commons business owners celebrate

The importance of cultivating African American culture and prosperity and replanting roots in the historic heart of Portland’s black community was the theme of Saturday’s public grand opening celebration for the Alberta Commons project, “Dream Street” located at 5015 N.E. Martin Luther King Jr. Blvd.

Especially honored were the project’s three newest person-of-color-owned businesses: Cason’s Fine Meats, Champions Barbershop, and greenHAUS Gallery + Boutique. The retailers have relocated to the new shopping plaza with the understanding they are lifting up other members of their communities and inspiring them to recognize and pursue their dreams.

The day included a festive and lively community market, abuzz with food, art, crafts, and live music from the local community. Cole Reed, co-owner of greenHAUS, welcomed the attendees, calling the new super block of businesses, the new “Dream Street District,” a place where equity, reconciliation and commerce can collide.

“Together we build a strong network of small business owners that self-define our district, our identity, and our path forward,” Reed said. “We are hatching a much broader and inclusive

neighborhood plan. We are our ancestors' wildest dreams come true, and we want this area to be a place where all people can be inspired to realize their dreams, too.”

Prosper Portland Executive Director Kimberly Branam, Champions Barbershop Owner Jamaal Lane (center) and Mayor Ted Wheeler's Deputy Chief of Staff Jamal Fox celebrate community and the rebuilding of African American culture and prosperity in the heart of the historic black community at the grand opening celebration of Alberta Commons, “Dream Street,” on Northeast Martin Luther King Jr. Blvd.

Special guest speakers included supporters of the project: Jamal Fox, deputy chief-of-staff for Mayor Ted Wheeler; Kimberly Branam, executive director of Prosper Portland; and Phillip Brown, executive vice President of Majestic Realty.

Theotis “Uncle Theo” Cason, and Jamaal and Christina Lane, were among the black business owners finding that a shared purpose is what brought them to open shop at Alberta Commons.

The historic black neighborhood along Dr. Martin Luther King, Jr. Boulevard was created largely by redlining real estate policies in the early 20th century, negatively impacted by urban planning in the 1950s and '60s, and gentrified by builders and new renters and home buyers in the 2000s.

The once black-majority neighborhood is now only 14 percent African American. In 2013 efforts to redevelop the property sparked outrage among community members who felt it was another attempt to displace the black community. As a result, representatives from the city's economic development agency, Prosper Portland, along with developer Majestic Realty, re-evaluated the project.

A Community Benefits Agreement led to a minority contractor hired to build the plaza and included a comprehensive local hiring program and the implementation of an affordable commercial tenanting program to ensure commercial space was available for local businesses owned by people of color.

OPB

US Sen. Ted Cruz Escalates Political Battle With Portland Mayor Ted Wheeler

By Jeff Mapes

July 25, 2019

U.S. Sen. Ted Cruz is escalating his attacks on Portland Mayor Ted Wheeler and a far-left anti-fascist group that has been repeatedly involved in violent demonstrations.

The Texas Republican this week wrote a letter to U.S. Attorney General William Barr and FBI director Christopher Wray urging a federal racketeering investigation into Antifa. The letter also calls for a federal probe into Wheeler, whom Cruz accused of having “refused to quell Antifa intimidation and riots based on his apparent sympathy with these left-wing aims.”

Wheeler has refused to comment on Cruz's letter. But the mayor flatly denied similar charges leveled by Cruz following a June 29 demonstration in Portland that turned violent and attracted national attention.

Wheeler said in a tweet that he didn't order police to stand down, and he fired back at Cruz: "Could you divert some of those investigation dollars to something that would actually benefit American cities? Infrastructure, affordable housing, mental health services come to mind."

Wheeler, his aides and Portland Police Chief Danielle Outlaw have repeatedly said they have been trying to find an approach to handling protests that minimizes violence by demonstrators while still preserving their free speech rights.

That's often been hard to do as masked activists associated with Antifa have been involved in violent street fights, typically against far-right demonstrators often associated with white supremacists.

Cruz, who ran for president in 2016 with the support of social conservatives, focused heavily on the June 29 demonstration in Portland in his letter. At that protest, conservative journalist Andy Ngo was beaten and hospitalized overnight with a head injury. Ngo has been critical of Antifa and tweeted the day before the demonstration that the group had singled him out as a target for attack.

In his letter, Cruz charged that Wheeler has failed to protect peaceful demonstrators in his city. He likened it to when local officials decades ago failed to protect civil rights demonstrators against violence from the Ku Klux Klan.

Cruz said the Racketeer Influenced and Corrupt Organizations Act – which has typically been used to prosecute organizations ranging from the mafia to crooked labor unions – should be deployed against Antifa. And he said that Wheeler should be investigated for "his official policies violating Oregonians' civil rights."

John Parry, a law professor at Lewis & Clark University who specializes in federal law, scoffed at Cruz's charges against Wheeler.

"This is pretty much political theater," said Parry, noting that Wheeler has tried a number of different approaches toward minimizing violence while allowing demonstrators to express their free speech rights.

Parry also questioned whether Antifa activists could face charges under federal racketeering statutes, which cover a limited number of crimes. In contrast, crimes of assault are generally left to local and state prosecutions, he said.

And he noted that, much of the time, Antifa has been embroiled in violence with such far-right groups as the Patriot Prayer and the Proud Boys, both of which have also been seeking physical confrontation.

"Civil rights protestors who are marching and singing hymns and being set upon by the Klan are not the same thing as the Proud Boys," Parry said. "But the Proud Boys are allowed to march, as long as they're being peaceful. Antifa is not allowed to go attacking them."

Cruz pressed his case at a Senate Judiciary Committee on Tuesday when Wray, the FBI director, testified.

Under questioning from Cruz, Wray said the FBI "doesn't investigate ideology, we investigate violent criminal activity." He added that he would "look forward" to reviewing Cruz's letter.