

The Oregonian

Grand jury finds Portland police officer acted in self-defense in fatal shooting of Koben Henriksen

By Maxine Bernstein

January 27, 2020

A Multnomah County grand jury has found no criminal wrongdoing in the fatal shooting by Portland police of 51-year-old Koben Henriksen who was seen waving knives at passing cars near Mall 205 in early December.

The grand jury determined that Officer Justin Raphael, a seven-year bureau member, acted in self-defense or in the defense of others when he shot and killed Henriksen with an AR-15 rifle on Dec. 8, according to the District Attorney's Office and police.

Officer Daniel Leonard, an 11-year bureau member, had fired less-lethal foam-tipped projectiles from a 40mm launcher.

Police tried to provide emergency medical care but Henriksen was pronounced dead at the scene.

Shortly after the shooting, Henriksen's father, Rick Henriksen, criticized the mental health and court systems that he said left his son to suffer on the street with a severe and persistent mental illness. He described his son's illness as somewhere between extreme bipolar disorder and schizophrenia and said Koben Henriksen had been living on the street for a couple of months and was off his medication.

Rick Henriksen said he received a call late Monday afternoon from the District Attorney's Office informing him about the grand jury's ruling.

"We were expecting that. I'm not surprised," the father said. While he said he can't say whether the officers' actions were criminal, he firmly believes their force was "excessive" and called it "absolutely nonsense" that officers were acting in self-defense. He said the family has retained a lawyer to investigate further.

Koben Henriksen "never ever wanted to hurt anybody," his father said. "He probably was so confused he didn't really know what he was doing."

The deadly shooting marked the third time in four months that police had encountered Koben Henriksen. In the two prior cases, one in August and another in November, police were able to safely resolve each without force and had Henriksen taken by ambulance to a hospital for mental health treatment.

On Dec. 8, two callers reported that Henriksen was wandering in traffic on Southeast 103rd Drive near Stark Street and waving knives at passing cars about 1:40 p.m.

Robert Vervloet, who was at a nearby Starbucks, and a father and son working at a food truck said they saw Henriksen move toward officers after they pulled up in their cars. Vervloet said he saw an officer with a rifle immediately point it at Henriksen. The dispatch recording and witnesses indicated officers fired seconds after arriving.

"There was no negotiation," Vervloet said. "There was no 'Hey buddy, we need to talk about this.'"

Police and prosecutors haven't released investigators' reports on the shooting. Police spokesman Sgt. Kevin Allen said the bureau would make the reports public as soon as it can.

The grand jury transcripts are expected to be made public at a later date.

Henriksen's father told The Oregonian/OregonLive that his son had contemplated suicide for about six months. Koben Henriksen had lived in a group home in Portland for many years but after he left that home, he couldn't find an alternative placement that was acceptable to him, his father said.

At times, his son pleaded to go to the state hospital but he wasn't deemed enough of a threat to warrant placement there, his father said. For many years, Rick Henriksen said he was unable to obtain direct information about his son's mental health care because Koben Henriksen was an adult.

Police have described the two earlier encounters officers had with Henriksen that ended peacefully:

On Aug. 22, officers found Henriksen camped on the property of Portland Adventist Academy. Henriksen told the officer he was glad he was there because "he needed someone to kill him and he thought police officers were the best option," according to the Police Bureau. Henriksen also told officers he had unsuccessfully tried to get several military veterans to buy him guns. The officer talked to Henriksen, requested an ambulance, and Henriksen was taken to Adventist Health Portland for treatment.

On Nov. 14, Henriksen approached an East Precinct officer getting into his patrol car near the 10200 block of Southeast Stark Street and yelled at him. According to police statements, the officer asked how he could help, and Henriksen, who had a large blanket draped around him, flung the blanket away and revealed that he had a knife in each hand. Henriksen threatened to kill the officer and took a step forward. The officer yelled at Henriksen to drop the knives and used the police car as cover. After some conversation with the officer, Henriksen dropped the knives. He was taken to Providence Medical Center and placed on a mental health hold, police said.

Former Police Chief Danielle Outlaw issued a statement after Henriksen's death, condemning a broken mental health system.

"This series of cases highlights the systemic failures of the mental health system, which continues to recycle individuals rather than resolve the underlying issues," she said. "Here are a number of accountability measures in effect for the officers involved, which will scrutinize their every action and decision. Where is the same level of accountability throughout the mental health system? Law enforcement professionals are put in an impossible position and we need the public to help prioritize effective and humane mental health treatment and demand urgent and immediate action."

The Portland Tribune

Portlandia's Back!

*By Joseph Gallivan
January 28, 2020*

Architect overseeing renovation of Michael Graves's famous PoMo post box says it was \$195 million well-spent

Carla Weinheimer, a principal architect at DLR Group, is a justice and public project specialist.

She's used to designing everything from prisons to colleges — and some prisons that look like colleges. So Michael Graves's postmodern Portland Building was in good hands at DLR. The leaky, dingy box on Fifth Avenue between Main and Madison streets was work-home to a thousand city workers for nearly four decades until it was cleared out for a \$195 million renovation. Now, as it approaches its grand reopening on March 19, Weinheimer talks about what it was like working on an architectural landmark, how the team of city, contractor and architect collaborated, and how prisons should feel.

Business Tribune: Now that city workers are moving back in, what changes are they seeing inside the building? Will the public still be wandering the halls looking for parking permits and summer camp sign-ups?

Carla Weinheimer: What we worked on was giving the bureaus more flexibility and how they wanted to have their staff sitting. What kinds of collaborative spaces they wanted to have. It's really about adding that sort of layer of flexibility in the workplace. We now have shared meeting space in the building so that the bureau spaces are very much focused on the workplaces. The first floor is now a reception desk. They're really going to be using that level to engage with the public.

BT: The dark loggia, the overhang where the shops used to be on the southwest corner, has been brightened up, with big new windows that look straight into the reception. Why?

CW: So, when the public comes down here, they know what's going on inside.

There's a reception. It's more open. It's kind of expressing the idea of open government and the fact that you're welcome. (In 1982) it was a big part of urban design thinking, the small retail vendors at the base of the building. That was considered at the time the best way to handle an activated streetscape. There's come to be a good understanding that a civic building really wants to open itself up to the street.

BT: What's the plan if people start pitching tents here and staying the night?

CW: I can take you to the regulations for this area, they're posted. The city has security.

BT: This was a design-build project, where the architect and contractor work closely together, and the owner (the city) doesn't have to act like a mediator. How did that work out?

CW: Design-build means that the contractor has the primary contract with the owner, and then the architect and the designers contract with the contractor.

So, we come together as a single entity, the design-build team, that then contracts directly with the city. Kristen Wells is the project manager with the city, and Todd Miller was the project manager for the contractor, Howard S. Wright. The three of us were a core team of the contractor, owner and architect ... for this sort of progressive design-build project. This is one of the more exciting things. I think we did a terrific job in terms of the workplace (reconfiguring) and the whole story of the historic preservation is amazing. But the progressive design-build, it's one of the first large-scale ones done in Portland and certainly the first one done by the city. It's been a showcase for collaborative delivery, with the kind of results that we saw in terms of being almost a year early and within our budget.

BT: What is progressive design-build?

CW: It is a fairly new model. Progressive design-build has to do with the contracting timing, and the fact that the first contract is not the entire design-build contract, it's just the scoping contract. Once the parties all agree on the scope of the project and the feasibility of the project, then the contracting goes into more traditional design-build forums.

In the scoping contract, we come together as a team with the owner and we work together on what to do with that \$195 million to get the best value for that project for the city.

Then when we get to that point where we've understood how we want to proceed, and that the project makes sense, then it transitions to a more traditional contract for construction that includes the designer and the contractor.

BT: Why did the city want progressive design-build on the Portland Building renovation?

CW: Because they felt that there was a lot of unknown aspects of the project. It wasn't obvious how to fix the exterior or what level of seismic we wanted. We needed to do a lot of studies together to understand how we wanted to spend the money.

BT: As the core team, how did you relate to each other? Was everyone equal?

CW: We each had our areas of responsibility. Everybody had things that were not just important to them, but that was our role and our responsibility. It's really a three-legged stool. We (DLR Group) have a responsibility for design quality, and that it meets the requirements of the project that everyone's expecting. When we would work together, we had a great understanding of the importance of each of our roles and learned to be respectful of each other.

When there were issues that needed to be addressed, we could be addressing it from our perspective. This is what this process is doing for the design. This is what it's doing for the construction. This is what it's doing for the city.

All of those things were important. The city engineer was thrilled to see in the BIM process, which is the three-dimensional modeling process, what he was going to get in the building, and who could advise us about some things that maybe were maintenance issues that we wouldn't have been as aware of. So everybody had a role in the conversation. When the building is done, there's a sense of pride of ownership on all the parts — not that we own the project.

One of the really important conversations had to do with what was the best way to do the exterior? It shouldn't leak anymore, and light should come into this building. And that it shouldn't be a 10-year solution. And the city said it needed to be very respectful to the historical integrity.

Because that was so complicated we actually put together a decision matrix chart. They were lined out, scored, and evaluated in a very rigorous way with the whole team.

BT: Was it a piece of paper, the kind of thing you pin up on the wall?

CW: No, it's more like an Excel-type analysis, with some Word files

BT: How much collaboration was virtual? How much was being in the same room?

CW: One of the things we did on this project is what's called a co-location. We were all in the same room for three and a half years. You know, not the whole team, but at different times there would be a lot more there. The three of us were very much there.

That certainly contributes to a healthy atmosphere and communication, for sure. Probably the biggest differentiator in terms of the success of projects is having people working together that trust each other, and can be honest with each other.

BT: Would you recommend it for any other projects in the future?

CW: Oh, absolutely. I think it has been proven how projects truly succeed, is when they get that spirit of collaboration, regardless of the delivery model.

I personally think it's suited to almost every type of project. And there are certain types of clients that maybe aren't as comfortable with it. And so they'll choose a different model.

BT: We hear a lot about how schools are trying to foster collaboration. Have you seen this? Are younger architects more collaborative?

CW: I do think our younger architects are very interested in being part of the conversation. And that's one way maybe to define collaboration is that more people are in the conversation. I don't think any of us were, coming up. But maybe we didn't have a choice when people were just telling us what to do every day and we didn't have the opportunity to share our thoughts.

BT: The Portland Building is basically a box that was poorly executed, and if it wasn't famous and Graves hadn't made it look cool, it would have been replaced with something taller.

CW: You know, actually, I can't say that. Because I believe they put all thoughts aside and did an analysis before any of us came on board. They made a decision that the most cost-effective and prudent way to spend public dollars was to renovate the building. It had the benefit of preserving a historic icon, but I'm told financially it was the better solution.

BT: What was it like dealing with the city? Was it different because the city's the client?

CW: No, no, we had the same permitting process. And of course, because we're the client, they were probably even more making sure they did the right thing. Erica Cedar, who's one of my senior architects on the project, she took on that sort of direct relationship. I really enjoyed it very much. We got to work with bureau directors. They really did a terrific job getting together at the beginning and participating in the visioning for how the workplace should be in the future. It was fun to hear what they cared about and figure out how to make it happen.

We really were listening to the interests of the city. I don't think there's anybody that doesn't know that it wasn't one of the more pleasant places to work just because of the physical lack of light and so on.

BT: What's the last thing an architect does at the end of a project?

CW: The last thing I'll probably do is be a participant in the grand opening on March 19. I need to move on to other projects. I've got a project down with Benton County and a project with Lane County, helping them figure out the bond for their big courthouse.

BT: You make jails and courthouses that are good to look at?

CW: Sure, I always like things to look good, but we're very much interested in improving the experience of a detention facility.

I worked on one with a different firm Las Colinas Detention and Reentry Facility in San Diego, a woman's jail. They asked that it'd be like a normal place to be, so we made it more like a community college campus with landscape and views to nature. This sense of treating people humanely, and environments that make them feel comfortable that they will have a better outcome ... Because there's more of an attitude that we really need to help people get better instead of just having them get worse and go back in.

BT: Have you seen that reality show "Jailbirds" set in a claustrophobic women's prison where they all communicate through the toilet?

CW: No. This would be the opposite. We also completed the McLaren housing in Woodburn with the Oregon Youth Authority. It's new housing that is more therapeutic. It's become looked at nationally as a model. It's really just the housing unit, the way that it sets on the land and the

way that it feels to be inside. The views to nature which are so key, and natural light. It's very secure.

When we get a new client, we talk about the opportunities for doing something a little different than what they might have expected. And because we have examples from all over the country, we can say here are the outcomes that you know. With the San Diego project between the old facility and the new, there was a significant reduction in violence on campus. So, there's real stuff. And staff retention: If it was a horrible environment as a staff person, it doesn't matter that you aren't incarcerated, you are in that building for your shift and you know if there's no light and it doesn't smell good and all those things, it's not good for staff retention.

My partner Erica Ceder is just a terrific architect. We presented at the National AIA conference this year in Las Vegas (about the Portland Building).

For the architectural community, the story that's especially interesting is the preservation story, because there's so many buildings from this era that are starting to need to be corrected.

BT: Do designers get real world help from the trades as they do their work?

CW: With the progressive design build model we are able to bring on the trade partners into the design process very early. Benson Industries was our trade partner on the exterior, it's the enclosure specialist that built the exterior.

It was a very complex part of the job. And so having that support from the trade partners early on (helped), and that included early support from mechanical, electrical and plumbing trade partners...to get the pricing right. We also did a very aggressive BIM (Building Information Management) modeling process with the trade partners so that we knew exactly what was going to happen, and there wasn't a lot of redo during construction.

In the traditional model of delivery we do the design, it goes out to bid and the trade partners come on. So we go through an entire design period with no input from people that do this every day in the field. Designers are specifying equipment and they're specifying the performance but the actual product itself, they kind of know the size of it, but the installer knows so much more about it.

(In progressive design build) you have a group of people with all the expertise set the table to make really smart decisions early, and you're not learning things later when the trade partners come on.

BT: So it's about collaborating sooner?

CW: If we can get everybody to collaborate in the design phase with the design thinking on the engineering for the systems, and the installation, thinking coming together, and the architectural design thinking and having all that come together in a really healthy collaborative environment, then it's a more efficient process, and it yields better results. Because you don't learn things in the wrong time, like discover that you have a coordination problem in the field. You discover it before you get to the construction.

BT: How do you push a point through? Do you have a particular style?

CW: That's very dependent on the audience. I'm really trying to understand if there's something that's important that needs to be communicated, or an important decision needs to be made, rather than just saying 'It's got to be like this because blah, blah, blah, blah...' It needs to be explained in a way that matches and refers back to the values that the project team had developed together. It's not about us. It's not our project. After it's done, it's their project.

BT: Where did you learn this skill?

CW: I guess I would just say, being an architect and caring about not only the built environment and also caring for our clients, I genuinely do like to make clients feel good about the result. There's nothing worse for me than doing a building and maybe it's famous but no one likes it.

(We ask) what does it feel like to be somebody coming to a building and trying to find services? How do you want people to feel? So, what is a building doing to help with that? What if you want more collaboration between the people that work in the building? How do you set up the floors to make that happen?

The Portland Mercury

Grand Jury Rules Officer Who Fatally Shot Koben Henriksen Acted in Self-Defense

*By Blair Stenvick
January 27, 2020*

The Portland Police Bureau (PPB) officer who fatally shot a mentally ill homeless Portlander last December won't be held legally responsible for his death. On Monday, the Multnomah County District Attorney's office announced that a grand jury had found that Officer Justin Raphael's shooting of Koben Henriksen was "a lawful act of self-defense and/or defense of a third person," according to a press release.

Henriksen was the 5th person to be shot and killed by PPB officers last year, making 2019 PPB's most fatal year since 2010.

He was also the 20th mentally ill person to be killed by a PPB officer in the last decade. None of the officers responsible for these deaths have faced criminal charges.

Henriksen, 51, was killed on the afternoon of December 8, after he had been spotted waving knives at passing cars near Mall 205 and police were called to the scene. Henriksen had been struggling with an undiagnosed mental illness, and had had a previous run-in with PPB recently. Just 13 seconds after approaching Henriksen, Raphael shot him dead.

Sarah Radcliffe, an attorney with Disability Rights Oregon, was one of many local leaders to issue statements last December in the wake of Henriksen's death.

"We owe it to those who've died this year in crisis to find out if there was anything we could have done different to save their lives," Radcliffe said. "It's very clear we need more resources for affordable housing and comprehensive mental health care. But, even with a robust mental health system in place, there are still going to be moments of crisis that require a police officer response—and it's absolutely unacceptable to respond with deadly force."

OPB

Grand Jury Declines To Bring Criminal Charges Against Portland Police Officer

By Conrad Wilson

January 27, 2020

UPDATED (6:05 p.m. PT) A Multnomah County grand jury returned a “not true bill” Monday, declining to bring criminal charges against Portland Police Officer Justin Raphael.

Raphael shot and killed 51-year-old Koben Henriksen on Dec. 8, 2019.

Police said Henriksen was holding a knife near the intersection of SE 103rd Drive and SE Stark Street in Portland in the moments before the shooting.

According to Henriksen’s father, Rick Henriksen, a police detective called and told him his son had threatened two Portland police officers with a pair of knives, one in each hand, once before – in November.

The detective said Koben Henriksen tried to induce suicide by cop, Rick Henriksen told OPB.

Rick Henriksen said he believes his son was doing the same thing when he was killed Dec. 8. He was shot at least once in the head and once in the chest.

Reached by text Monday, Rick Henriksen wrote that he’d been told to expect this decision. Still, he added, in his mind, there was “no question” Raphael had used excessive force against his son.

“My son had a knife and according to witnesses only seemed confused,” he wrote. “Seems a little one-sided to me!”

Henriksen struggled with mental illness for much of his adult life, according to his family.

In its determination, grand jurors said Raphael’s use of force was a lawful act of self-defense.