

## The Oregonian

# Portland's cannabis program lacks an overall strategy, reliable data, audit says

*By Everton Bailey Jr.  
February 4, 2020*

Portland has struggled for years to properly manage its program that regulates marijuana businesses and hasn't established enough tools to ensure community complaints or program shortcomings are being addressed, according to the city auditor's office.

The cannabis program run by the city's Office of Community and Civic Life lacks "management fundamentals" such as an overall strategy, reliable data to track performance and public impact, and tools to regularly communicate with other city departments, the city council and the community about cannabis regulation, a city audit said.

Recreational marijuana was legalized in Oregon in 2014. The city's cannabis program was created the same year, but Portland didn't start regulating businesses that grow, produce or sell the marijuana until 2016. The city council tasked the Community and Civic Life Office, formerly known as the Office of Neighborhood Involvement, with enforcing the city's marijuana rules and managing complaints linked to cannabis sales and use. The programs also collect fees for city marijuana business licenses and conduct business inspections.

The Auditor's report recommended the Community and Civic Life Office create a strategy for the cannabis program to streamline the licensing and enforcement process, accurately track data and publicly disclose more information about the program's performance and the marijuana industry.

"In the absence of a clearly defined strategy, Civic Life risks a scattershot approach that does not support citywide collaboration and does not respond to emerging concerns," the audit said.

[\[Read the report\]](#)

In a joint statement, Community and Civic Life Director Suk Rhee and Commissioner Chloe Eudaly, who oversees the bureau, said they mostly agreed with the Auditor's Office recommendations but believed the report "would benefit from additional context and information regarding our operations."

They said the program strategy was delayed because the city council didn't have a unified vision on regulation until last year. They said the program adopted a central strategy in November that focused on equity, community involvement, sustainability and "sensible regulation."

Eudaly and Rhee said the program does need an improved data management system, but denied that the information wasn't being tracked accurately. They also said the program does have regular community engagement and cited the city's cannabis policy oversight team as an example.

The city's cannabis program is funded by license fees, and has brought in about \$1.1 million in each of the three full years it's operated. The program has spent between around \$834,000 and \$940,000 in that time frame, the audit said.

The audit found several issues with how the program is managed. As part of their review, auditors interviewed the office's managers and workers.

Auditors determined that the program's fees and budget are based on anecdotal information because the Civic Life bureau hasn't defined program activities or analyzed its workload, the audit said.

As an example, the audit cited the city council's approval of the bureau's proposal to lower licensing fees in September 2018 from \$4,975 to \$3,500. The request at the time wasn't based on a specific program strategy or an analysis of the program workload, the audit said.

Eudaly at the time said the changes were a step toward reducing the lingering impacts of marijuana prohibition since it being legalized.

The audit said the program has no performance metrics and only tells the public how many cannabis business license applications it has received and the type of licenses it has issued.

The data the bureau has collected on licensing, enforcement and complaints may be unreliable, the audit said. The review found the program no plan to make sure the information it gathers on the licensing and enforcement process is valid and complete.

Complaint and enforcement data are spread across various systems instead of one place, the audit said. License applications are tracked by a spreadsheet that often crashes.

Auditors found that program staffers don't consistently log public complaints or actions taken to remedy them. Managers can't easily access basic information such as how many complaints have been substantiated or how long each investigation took, the audit said.

According to the report, the program also doesn't track how often the city's licensing and inspection requirements duplicate the state's regulation process, which can create burdens for business owners. The audit also found business owners of color still face barriers from breaking into the industry.

The program offers license fee reductions for women- and minority-owned and small businesses as well as for cannabis business owners or store employees who have prior marijuana convictions. But the audit found the Civic Life office doesn't have the proper data to evaluate if that aspect of the program is successful.

"Civic Life's cannabis program is supposed to identify challenges and make necessary adjustments to the requirements and process," the audit said. "However, since staff does not have the data or tools to compile valid and complete information on licensing and enforcement trends, the program can't produce valid reports on program performance."

## **'He just was crying for help' -- How a Portland officer helped distraught man who was killed a month later by police**

*By Maxine Bernstein  
February 4, 2020*

The Portland police officer who fatally shot a man holding two knives near Mall 205 in December had encountered the same man 24 days before in almost identical circumstances but that time a fellow officer quickly talked the distraught man into surrendering peacefully.

While police earlier acknowledged the Nov. 14 encounter, they hadn't given many details. Newly released investigative records offer a dramatic account of the confrontation from the officer, Ben Davidson, who intervened.

Davidson received a commendation for helping Koben Henriksen that day.

Henriksen "was clearly in some type of crisis" Davidson told investigators. "Clearly he's suicidal to me ... He was just crying for help, it seemed."

The officer with Davidson in November – Justin Raphael – also received a commendation, the Police Bureau confirmed Monday. Raphael was serving as Davidson's lethal cover in that earlier encounter. Raphael later shot and killed Henriksen on Dec. 8.

As part of the police criminal investigation into the fatal shooting, detectives interviewed Davidson, a 16-year bureau member, to learn more about the November interaction with Henriksen.

Davidson said it happened at the same Southeast Portland location – near Southeast 103rd Avenue and Stark Street.

Davidson told the detectives that Henriksen, 51, went from being aggressive and threatening to despondent in less than a minute as Davidson talked calmly to him.

It started shortly after Davidson had met Raphael for coffee at the Starbucks near the busy mall intersection. Raphael, a 7-year bureau member, had wanted to get tips from Davidson for an upcoming interview he had to join the Portland police canine handler unit.

When the two officers left the coffee shop, they walked back to their cars, parked on 103rd Avenue, and heard someone shouting to them.

A man across the street, with a blanket draped over him, was yelling that he needed help.

Raphael tried to talk to the man, later identified as Henriksen, as Davidson got into his patrol car to check on a police K-9 call that had come through, according to Davidson.

Davidson said he then heard Raphael yell, "Benny!" and motion across the street.

Davidson said he saw Henriksen holding two knives, one in each hand. Henriksen was now standing in either a bike lane or a lane of traffic, according to Davidson.

Raphael drew his handgun and ordered Henriksen to drop his knives. Davidson jumped out of his car, moved to the front quarter panel of the car and drew his Taser.

As Raphael radioed to dispatch that the two officers were dealing with a man with knives, Davidson talked to Henriksen.

"Hey, I'm gonna try and calm him down," Davidson said he told Raphael.

Then Davidson told Henriksen: "Buddy calm down. Talk to me. Tell me what's going on."

Henriksen responded, "I'm going to kill ya. I want you to kill me," Davidson recounted.

"I told him we didn't want to do that," Davidson said.

Raphael also told Henriksen something like, "We don't want to shoot you. Drop the knives, (or) you're gonna get shot," Davidson recalled.=

Davidson pressed, "Just talk to me ... tell me what's going on."

Henriksen said something like, "There's no helping me. It, it's over for me."

Davidson continued to talk to Henriksen, he said, telling him: “We can make this better.” He asked Henriksen to set his knives down.

Henriksen, at moments, went quiet and just stared.

“You’re not in trouble. I just want to talk to you,” Davidson said he continued.

Within less than a minute of talking, Henriksen lowered his hands to his side and dropped the knives, Davidson said.

Davidson asked Henriksen to sit on a nearby bench and repeated to him he wasn’t in trouble. Henriksen sat down and the officers then approached him.

Davidson thanked Henriksen for listening to him. Henriksen started crying, he said.

More officers showed up. They called an ambulance to take Henriksen to Providence Medical Center, where he was placed on a mental health hold.

The Police Bureau gave Davidson a letter of commendation, dated Nov. 20, for safely resolving the situation that day.

On Dec. 19, the day he was interviewed by detectives after Henriksen’s death, was the first time he had seen the actual letter, Davidson said.

Raphael declined to be interviewed for the criminal investigation of the fatal shooting, but he testified before a grand jury and did answer questions as part of an internal affairs administrative review into the shooting. The grand jury found no criminal wrongdoing by police in Henriksen’s death.

As Raphael responded to the Dec. 8 emergency call about a man wandering in the street with knives at 103rd and Stark, another officer, Dan Leonard, sent a message on his car’s mobile computer to Raphael: “This sounds like the guy you had an encounter with a little while ago.”

Raphael later broadcast back that yes, the man in the street – Henriksen -- was the same as last time.

Raphael fired an AR-15 rifle, striking Henriksen twice, once in the chest and once in the abdomen, as Leonard simultaneously fired a single 40 mm sponge-tipped round at Henriksen.

Henriksen died at the scene. The shooting occurred seconds after Raphael and Leonard arrived to investigate 911 calls reporting a man holding knives in traffic.

Leonard told investigators that Henriksen didn’t follow Raphael’s orders to drop his knives and was shot as he walked toward officers, holding a knife in each hand at shoulder height and out in front of him.

Henriksen’s father has said his son suffers from a mental illness on a spectrum between a bipolar disorder and schizophrenia. Since he left a group home in East Portland months earlier, he’d been living on the street, not taking his medication.

Police also had a contact with Henriksen last August.

They found him camped Aug. 22 on the property of Portland Adventist Academy, a private school at 1500 S.E. 96th Ave. Henriksen told an officer that he was glad the officer was there because “he needed someone to kill him and he thought police officers were the best option,” the police bureau said in a statement.

Henriksen told officers then that he had unsuccessfully tried to get several military veterans to buy him guns. Police said an officer talked to Henriksen, requested an ambulance and Henriksen was taken to Adventist Health Portland for treatment.

## **The Portland Tribune**

### **Portland official: Full donation match for May primary election**

*By Jim Redden  
February 04, 2020*

#### **No decision will be made for special City Council election until after Friday deadline**

Portland's new public campaign financing program will be able to fully match contributions to qualified candidates for mayor and the two City Council seats on the May 19 primary election.

Program officials will not know if the program has enough money to fully match all qualifying candidates in the special election to replace the late Commissioner Nick Fish until Friday, Feb. 7. It is also scheduled for May 19.

Susan Mottet, director of the Open and Accountable Elections program, made the announcement on Tuesday, Feb. 4. Oregon Public Broadcasting had previously reported that so many candidates had applied to the program, it could be forced to reduce the match or ask the council for more money if most of them qualified.

Only seven candidates in the primary qualified by the Jan. 31 deadline, however. That means there is enough money for the full 6-to-1 match on the first \$50 of individual contributions to candidates for mayor and council positions 1 and 4.

"We are pleased to share that the Open and Accountable Elections program is well-positioned for the regularly-scheduled elections," said Mottet.

To qualify in the primary election, candidates for mayor to turn in \$5,000 from 500 donors and council candidates must to turn in 250 donations from Portlanders totaling \$2,500. Those qualifying by the deadline include: Sarah Iannarone in the mayor's race; Carmen Rubio, Candace Avalos, and Tim DuBois in the council Position 1 race; and Commissioner Chloe Eudaly, Mingus Mapps, and Seth Woolley in the Council Position 4 race.

Former Mayor Sam Adams' campaign also turned in the required 250 qualifying donations, but must receive approval on his petition to be on the ballot from the Auditor's office before the program can complete the certification determination for his campaign for council Position #4.

According to Mottet, the program is currently in the process of collecting information about candidates participating in the special election for council Position 2. Notices of intent to participate are not due until Feb. 7 at 11:59pm.

"Once we have more information about how many candidates file to use the OAE program in the special election, we will have a clearer idea of what that election could potentially cost" said Mottet.

## Willamette Week

# Portland City Council Plans to Appeal Court Ruling Requiring Cheaper Public Records

*By Nigel Jaquiss and Rachel Monahan  
February 4, 2020*

**Judge Shelley Russell found that the city was over-charging for staff time required to review and produce records.**

The city of Portland is expected to appeal a Multnomah County Circuit Court ruling that instructed the city to comply with public records requests more cheaply.

Judge Shelley Russell found that the city was over-charging for staff time required to review and produce records. The ruling came as a big win for members of the public and the press who have found the city's compliance with Oregon's Public Records Law slow as well as expensive.

But The Oregonian first reported Feb. 3 that City Council will consider a recommendation from the city attorney's office to appeal the verdict.

"The City Attorney's Office most respectfully believes that the court's judgment exceeds the scope of its authority," says the resolution the council will entertain.

Wheeler's spokeswoman Eileen Park says the mayor supports the appeal.

"The mayor wants improved clarity and transparency in the handling of public records," she tells WW. "He supports an appeal that will clarify expectations for both city staff and requesters. Fees should not be excessive. The city needs clarity and we achieve that through an appeal."

Public-records advocate Alan Kessler, who won the judgment, said he was disappointed but not surprised by the decision. "The city has taken a dispute over a couple hundred bucks and turned it into a six-figure taxpayer liability," he tells WW.

## Nike Executive Piper Crowell Mulling Bid for Portland Mayor

*By Nigel Jaquiss  
February 4, 2020*

**Her employer already has given Wheeler \$10,000 for his re-election campaign.**

The race for Portland mayor may soon get more interesting.

Piper Crowell, who works as Nike's director of global and innovation policy, has been quietly preparing to enter the race against incumbent Mayor Ted Wheeler.

Crowell, 34, started at Nike in June 2017 after a stint working for Pandora, the streaming music provider, in Washington, D.C., and, earlier, four years working for U.S. Rep. Jared Huffman (D-Calif.). She is a 2007 graduate of Amherst College, where she played goalkeeper on the soccer team.

If Crowell enters the race, she will join leading challenger Sarah Iannarone and nine other candidates seeking to unseat Wheeler in May. Crowell has missed the deadline to file for public financing and so would have to raise money in the traditional fashion.

She'll have to look outside the Nike berm—her employer already has given Wheeler \$10,000 for his re-election campaign.

"Yes, I'm seriously exploring a run for Mayor," Crowell tells WW. "I love Portland and am proud to call this city home, but we are not living up to our full promise in so many areas. It's not a question of opportunity or the potential of our people, it's a question of leadership and priorities. We can and we must do better."

## **Murmurs: Nike Executive Mulls Mayoral Bid**

*February 5, 2020*

### **In other news: Controversial American Legion commander resigns.**

**NIKE EXECUTIVE MULLS MAYORAL BID:** The race for Portland mayor may soon get more interesting. Piper Crowell, who works as Nike's director of global and innovation policy, has been quietly preparing to enter the race against incumbent Mayor Ted Wheeler. Crowell, 34, started at Nike in June 2017 after a stint working for Pandora, the streaming music provider, in Washington, D.C., and, earlier, four years working for U.S. Rep. Jared Huffman (D-Calif.). She is a 2007 graduate of Amherst College, where she played goalkeeper on the soccer team. If Crowell enters the race, she will join leading challenger Sarah Iannarone and nine other candidates seeking to unseat Wheeler in May. Crowell has missed the deadline to file for public financing and so would have to raise money in the traditional fashion. She'll have to look outside the Nike berm—her employer already has given Wheeler \$10,000 for his re-election campaign. "Yes, I'm seriously exploring a run for Mayor," Crowell tells WW. "I love Portland and am proud to call this city home, but we are not living up to our full promise in so many areas. It's not a question of opportunity or the potential of our people, it's a question of leadership and priorities. We can and we must do better."

**CONTROVERSIAL POST COMMANDER RESIGNS:** Gregory Isaacson, a conservative protester and city of Portland employee, resigned Feb. 3 as commander of American Legion Post 134 after a unanimous no-confidence vote held at the post's Northeast Alberta Street headquarters. Isaacson's election as post commander drew scrutiny in January from military veterans who said his attendance at Patriot Prayer protests ran counter to the post's mission of being a welcoming space. American Legion officials from state and district offices were in attendance for the no-confidence vote, along with about seven Post 134 members, according to a person who was present. Isaacson is still welcome to attend post events and vote in elections, including the Feb. 16 vote for a replacement commander. He declined to comment on the vote, but tells WW he wants the post to be "a place of common ground."

**BUDGET GROUP WANTS CHANGE:** It's budget season at City Hall, and the citizen advisory committee to the Bureau of Development Services included a highly unusual request: to change the city's form of government. The committee requested that city government change from its current form—in which elected commissioners who may lack managerial experience oversee bureaus—to a city manager form of government, in which a professional manager runs them. "The commissioner form of government encourages the siloing of culture and processes between bureaus and decreases collaboration," the committee wrote Jan. 14. "This dynamic negatively

impacts programs and services that cross multiple City bureaus, such as the development review process." Mayor Ted Wheeler agrees. "I share their concerns," Wheeler says. "I am determined to be the last mayor of Portland who serves under this form of government."

**SOBERING STATION CLOSURE LEADS TO LAYOFFS:** Ripple effects continue from the Jan. 3 closure of a sobering center where Portland police took intoxicated people. Twenty-three employees were laid off from the Sobering Station run by Central City Concern. Mercedes Elizalde, public policy director at Central City Concern, said employees were notified of the layoffs Jan. 2, and will receive pay for 30 days following that notification. David Kreisman, communications director for American Federation of State, County and Municipal Employees Council 75, told WW that the station's "abrupt closure puts undue stress not only on the employees who proudly operated it but the community members who found themselves in need of its services." The Sobering Station had operated for 40 years. Central City Concern cited an increase in "agitated" patients, particularly from stimulant drug use, in shuttering the facility.

## **Thomas Lauderdale, Longtime Ally of Sam Adams, Donates to Commissioner Chloe Eudaly**

*By Nigel Jaquiss  
February 5, 2020*

**"It's a bummer Sam isn't running for Nick Fish's seat."**

CONTRIBUTION OF THE WEEK

HOW MUCH?

\$250

WHO GOT IT?

City Commissioner Chloe Eudaly

WHO GAVE IT?

Thomas Lauderdale, founder and leader of the band Pink Martini

WHY IS IT INTERESTING?

Lauderdale has long been interested in city politics, going back to when he was a student at Grant High. He was an early LGBTQ+ rights activist and has spoken of someday running for office.

In the meantime, he has long been a strong supporter of former Mayor Sam Adams, who is challenging Eudaly. In 2009, after WW broke the story of

Adams' relationship with Beau Breedlove and Adams faced recall efforts,

Lauderdale organized a "Stand By Your Sam" rally at City Hall. Yet two weeks after Adams surprised most observers with his Jan. 15 announcement he would challenge Eudaly, Lauderdale wrote the incumbent a \$250 check.

"I've been friends with both Sam Adams and Chloe Eudaly for years," Lauderdale tells WW. "I supported Chloe four years ago, and plan to support her for four more. Like it or not, she's done what she said she was going to do. And I believe she's just getting started. It's a bummer Sam isn't running for [late Commissioner] Nick Fish's seat."

# Eastbank Esplanade May Be the Tool Portland Critics Use to Fight the Billion-Dollar Expansion of I-5

*By Rachel Monahan*

*February 5, 2020*

**That project could require adding yards of concrete that would loom over the esplanade.**

The Eastbank Esplanade is an icon of the Portland waterfront. Joggers pound along the floating walkway, cyclists zip downtown from the Lloyd District, and homeless campers abound. A life-sized statue of Vera Katz, the diminutive but tough late Portland mayor, perches on a wall, the Willamette River at her back.

And it's a place that's poised to take on new significance in the fight over the state's largest transportation project.

That project—a proposed billion-dollar widening of Interstate 5 through the Rose Quarter—could require adding yards of concrete that would loom over the esplanade.

Bob Sallinger, conservation director of the Audubon Society of Portland, describes the potential results this way: "The way the ramps would jet out over the esplanade [it would] essentially make it into something of a cave, increasing noise, increasing pollution, increasing shadowing, undermining the experience that people will have at a time when this community is prioritizing reconnecting with the river."

But environmental leaders say this threat also offers Portland an opportunity: The walkway is a pinch point city leaders could exploit to delay and reshape the highway project.

For highway engineers to proceed, the city of Portland has to agree in writing to proposed changes to the Eastbank Esplanade. Federal law says that can happen one of two ways: The city could agree that allowing the highway to hang over the esplanade is a minimal change to the waterfront. Or the city and state could reach a deal in which the state would agree to make improvements to the park to compensate the city for any changes.

Mayor Ted Wheeler could order Portland Parks & Recreation to reach such a deal. Or he could refuse—and call for the Oregon Department of Transportation to take a closer look at the health effects of the freeway expansion on parkgoers.

"I hope the city will not sign off," says Sallinger. "This is where the city needs to use its leverage."

Wheeler's office declined to say what he would decide. Wheeler spokesman Tim Becker said the mayor would meet with Parks Bureau leaders "to learn more about their perspective on potential impacts."

Disruption of the Eastbank Esplanade isn't the first or only way the desires and health of Portlanders conflict with the plans for a wider highway.

Portland Public Schools has raised objections about health effects the Rose Quarter project could have on students at Harriet Tubman Middle School, which stands adjacent to I-5. The project already faces scrutiny for its escalating costs—now estimated at up to \$795 million—and the failure of the project to include caps over the highway to support the construction of new buildings.

Those caps, crucial to the Albina Vision Trust's plans to resurrect parts of Portland's African American community destroyed by the construction of I-5, could bring the project's price tag to more than \$1 billion.

One key lawmaker isn't interested in funding what Portlanders want.

Last week, state Sen. Lee Beyer (D-Springfield), chairman of the Joint Transportation Committee, scoffed at the notion of freeway caps.

"If Portland wants to put lids and all that kind of stuff on freeways, the state's job is to make sure whatever we do allows that to happen, but we're not paying for it," Beyer told Oregon Public Broadcasting. "That's a local decision, local desire.

It's not part of the state highway system."

For the most part, city officials have been bystanders observing the state's highway expansion process. Local officials, including Wheeler, asked the state for a more thorough environmental review in December. But they had no authority to impede the project beyond the bully pulpit.

The Eastbank Esplanade could give them that leverage.

An attorney for the leading opponent of the highway expansion says if the city refuses to agree to changes along the esplanade, it could strengthen the argument for a wider environmental review of the entire project.

"If the city doesn't concur," says attorney Sean Malone, who has worked for the opponent, No More Freeways, "yes, the case is bolstered. It helps the case."

So far, the city hasn't objected to a cavern engulfing the waterfront.

A parks spokesman says the bureau is working toward an agreement with ODOT. But it has also asked state transportation officials to meet a requirement to get feedback from the public about the Eastbank Esplanade plan.

A document obtained by WW shows that as of September, the quiet negotiations between ODOT and the Parks Bureau included some possible efforts to mitigate the problems created by the highway expansion: more lighting to brighten the area shaded by the highway and boulders to discourage homeless camping.

## **The Portland Mercury**

### **Rep. Kotek Drafting Bill to Support Local Homeless Services Ballot Measure**

*By Alex Zielinski  
February 4, 2020*

The run to get a regional homeless services fund on a 2020 ballot has turned into a sprint.

This afternoon, Oregon House Speaker Tina Kotek confirmed she's drafting legislation that would let Metro Regional Government stick a high-income earner tax on the May 2019 ballot that would be hefty enough to fund a sweeping homeless services program.

It's the latest move in what's been a quickly-evolving strategy to get a measure before voters in 2020 that would fill critical gaps in the region's response to the homeless crisis.

The proposed measure, drafted by a large group of housing and homeless service advocates, would fund a range of social services that would help get people out of homelessness and support those at risk of homelessness. It's expected those services—everything from housing placement to addiction recovery programs—would be carried out by organizations that are already doing this work (like Transition Projects and Central City Concern). The group, called the Here Together coalition, says that these currently underfunded services play a critical role in allowing the region's two affordable housing bonds to succeed.

The coalition has said they'd need between \$250 and \$300 million to sufficiently follow through on their measure's promises.

To do so, the group's proposed sticking a 2 percent tax for high-income earners on the ballot in all three counties.

The coalition, which has the backing of Multnomah County and the City of Portland, was originally looking to place this ballot measure on the November 2020 ballot. In late 2019, the group asked Metro if it could serve as an administrative body for the measure's programming, since homelessness spans county lines.

Metro leadership was hesitant to embrace the proposal, citing concerns about a short timeframe to rally voter support before the November election. Last week, however, Metro President Lynn Petersen announced that Metro Council is considering referring the homeless services measure to the May 19 ballot. To do so, the council would have to vote on a final measure by the end of February.

The new timeframe came as a surprise to Here Together, but the group's welcomed Metro's support.

But, there's a catch: According to state statute, Metro cannot refer an income tax higher than 1 percent to a ballot. Here Together wants 2 percent. At a Tuesday Metro work session, Councilor Shirley Craddick asked members of the Here Together coalition if the proposal really calls for up to \$300 million in funds.

"Is it more than enough?" Craddick asked.

"The reality is, that the scale of investment we've put into homelessness along with disinvestment by the federal government... it has never been enough," said Katrina Holland, coalition chair and director of the Community Alliance of Tenants. "I can confidently say it may not be enough. But it should make a significant visible dent."

That's where Kotek comes in. Kotek is planning on introducing a bill during the state's 35-day legislative session, which began Monday, to change the rules limiting Metro's ability to raise taxes.

"The bill will provide authority to Metro to increase its taxing authority, if approved by local voters at the ballot, in order to establish that funding source," Kotek said in an email to the Mercury.

It's not clear yet if the legislation will apply to all future measures Metro decides to refer to a ballot or only this specific measure. Kotek said Metro leadership specifically requested this legislation.

It's also unclear if all Metro Council members are convinced by Peterson's proposed plan, which gives them 16 days to gauge voter support and iron out legislative wrinkles before they're scheduled to vote on referring the measure. That vote is scheduled for February 20.

Both councilors Craddick and Craig Dirksen raised concerns Tuesday that voters would be holding Metro accountable—not the coalition—if the proposal failed to follow through on its promises. Usually, councilors are allowed months, if not years, of discussion and polling before deciding to stick their name on a ballot measure.

"It's going to be a lot of work," said Petersen. "It's not the normal way we get something on the ballot."

But, she added: "We all recognize that there is a crisis... Consideration for a ballot measure for May would help accelerate those services."

Metro staff said specific details of the measure, like what constitutes a "high-income" and how the eventually funding would be fairly distributed, will be addressed in the next few weeks.

Mitch Hornecker, co-founder of New Avenues for Youth and a member of the Here Together coalition, told councilors Tuesday that the proposed measure will ultimately help Metro fulfill the promise it made to voters with the 2018 Metro Housing Bond, which earmarks \$652 million to build housing for low-income renters across the tri-county region. Some of that housing is reserved for people making between zero and 30 percent of the region's median family income (MFI). For a family of four living in Portland, that means a total household annual income of \$26,370 or below. Hornecker said those renters, especially those who've been homeless for years, need specific support services to guarantee they stay housed.

"The intersectionality of success with the housing bond is unbelievable," Hornecker said.

Members of Here Together are hoping Metro councilors will trust the work the coalition has already done to measure voter interest in this proposal.

"While I'm happy that Metro leadership has changed their position [on supporting the measure], I hope they honor the framework that our coalition has built," said Andy Nelson, a coalition member and director of Impact NW, a nonprofit that offers rent and utility assistance to people at risk of homelessness.

Nelson told the Mercury that he regularly has to turn people away who are seeking services, due to lack of funding or staff. It's a problem he's heard repeated among local social service providers.

"Metro has a process—it's a good one," Nelson said. "But we're asking them to hustle. I hope Metro understands that the typical way of doing things isn't going to work this time. This is a crisis."

## **The Skanner**

### **Application Now Available for Community Advisory Committee**

*By Patricia  
February 4, 2020*

The I-5 Rose Quarter Improvement Project is recruiting interested community members to serve on an advisory committee. The committee will help shape the project design and recommend avenues for equitable engagement with the community. The application period runs through February 18, 2020.

The Community Advisory Committee (CAC) will be composed of up to 20 members who represent diverse perspectives. Meetings will occur up to nine times per year for up to three hours at a location within or near the project area. Interested community members can learn more and apply at <https://i5rosequarter.org/>.

ODOT is convening the committee to further extend opportunities for the public to engage on the project. As it progresses, ODOT will demonstrate and communicate how the CAC's input meaningfully informed project decisions.

The I-5 Rose Quarter Improvement Project adds auxiliary lanes and shoulders to reduce congestion and improve safety on the main north-south freeway on the west coast and redesigns the multimodal local street network. The project will smooth traffic flow on I-5 between I-84 and I-405 where three interstates intersect and feature the biggest traffic bottleneck in Oregon. The project will also improve community connections by redesigning overpasses and reconnecting neighborhood streets, enhancing public spaces, and promoting economic development opportunities. The Project's transportation improvements allow the City of Portland to implement the development goals for the N/NE area and realize the City's Central City 2035 Plan.

Project information is available in alternative formats upon request. Please call 503-470-3127, TTY 800-735-2900 or statewide relay 7-1-1.

## **OPB**

### **Publicly Financed Candidates In 3 Of 4 Portland Races To Get Full Match Rate**

*By Rebecca Ellis  
February 4, 2020*

Eight candidates are expected to opt into Portland's public campaign financing program for the three City Council seats that were regularly scheduled for an election this year. That's a small enough number to guarantee all will receive the full 6-to-1 match rate throughout their campaigns, the city announced Tuesday.

Officials said candidates running in the races for mayor, for city commissioner position number 4 (the current seat of Commissioner Chloe Eudaly, who's running for reelection) and for position number 1 (occupied by soon-to-retire Commissioner Amanda Fritz) are guaranteed to see \$6 from the city for every \$1 they raise throughout their campaign, true for up to \$50 of every donation.

Candidates participating in the city's public campaign financing program had already been receiving the 6-to-1 match. But whether or not it would continue depended on how many new candidates entered and asked to dip into the \$3.5 million fund.

Susan Mottet, who oversees the program, said that number is no longer in flux for the three regularly scheduled races. Seven candidates have officially been certified. This does not include former mayor and now council candidate Sam Adams, who is on the cusp, but still needs to hand in his petition to the city auditor's office.

It's a different story in the race for the seat that opened up after the death of Commissioner Nick Fish. Whether the dozen or so candidates who have entered that race will also get to see this 6-to-1 match rate remains up in the air.

Candidates in that race have until Friday to give the program a heads up that they want to take part.

Mottet told OPB last month that she'd need about \$1.7 million more in funding from the City Council to cover the 6-to-1 match for that race. She said she could ask for the additional money during the spring budget process.

## **Officer Who Killed Koben Henriksen Had De-escalated Similar Situation Weeks Before**

*By Conrad Wilson and Rebecca Ellis  
January 31, 2020*

The same Portland police officer who was commended for de-escalating a potentially dangerous confrontation in November with a man experiencing mental illness killed him three weeks later in a very similar incident.

That's according to a Portland Police Bureau investigation into the shooting of 51-year-old Koben Henriksen, which was released Friday morning.

A Multnomah County grand jury declined Monday to bring criminal charges against Officer Justin Raphael, saying he acted in self-defense on Dec. 8 when he shot and killed Henriksen. At the time, Henriksen was holding a pocket knife in each hand and walking toward officers. Raphael shot him about 20 seconds after officers arrived.

The investigative documents reveal — and PPB confirmed — just three weeks earlier, Raphael was one of two officers who encountered Henriksen. That Nov. 14 incident mirrored the fatal encounter, though with a very different ending.

With blades extended in each hand, Henriksen approached Raphael and one other officer on the same block in Southeast Portland. The officers were getting into their squad car after leaving a nearby Starbucks.

Despite the knives, the armed officers de-escalated the situation.

Officers calmed Henriksen and drove him to Providence Hospital for mental health treatment. Police Chief Danielle Outlaw, who has since taken a new job in Philadelphia, praised the encounter as an example of how law enforcement can assist a person experiencing mental illness.

“Unfortunately, in the most recent encounter, the outcome was different,” Outlaw said after Henriksen's death.

Officer Dan Leonard, who responded to the Dec. 8 incident, told detectives Raphael had radioed to other officers that the man walking into traffic carrying two knives “sounds like the dude I had an interaction with ... .” Leonard said Raphael confirmed minutes later it was the same man.

When Leonard arrived on scene, he was the less lethal operator, meaning his rifle was loaded with “foam-tipped projectiles” designed to stop Henriksen without killing him.

Henriksen was advancing, yelling “shoot me, kill me,” Leonard recalled.

Officer Shawn Schroeder, who was also on the scene, said Henriksen “was walking in our direction,” in “more of a casual walk towards us.”

Schroeder told detectives he perceived Henriksen as “an immediate threat” to the officers at the scene. Still, Schroeder said he waited and did not use his weapon.

“And in my mind I’m waiting for less-lethal to go off,” he said. “I knew that I had less lethal there. So that’s where I’m at” until the shooting.

Several witnesses to the Dec. 8 shooting told officers they were troubled by how quickly police fired shots after arriving on the scene.

Dawn Rusczyk was in a Starbucks drive-thru and watched Henriksen walk in and out of traffic. Even from a distance, she said, she could read Henriksen’s lips: “Help me.”

Rusczyk called 911, and told dispatchers Henriksen looked frightened. Even though he was blocking traffic and holding knives, she said, she didn’t believe he was dangerous. She said Henriksen was thin, small and frail.

As he walked toward her car, Rusczyk rolled down her window. He asked her to call police. She said Henriksen again said, “Help me.”

The shooting, Rusczyk said, happened 20 seconds after officers arrived at the scene.

“Drop it, drop it,” she recalled an officer saying, followed by three shots.

Rusczyk got out of her car.

“You didn’t have to shoot him,” she said, according to police reports.

Leonard said he fired his less lethal round at the same time Raphael pulled the trigger on his AR-15.

Raphael is one of PPB’s enhanced crisis intervention training officers, meaning he’s one of the officers dispatchers try to send to incidents where mental health may be a factor.

Taylor Pettis, also in line at the Starbucks drive-thru, saw three officers pointing guns at Henriksen. Two were armed with rifle-style weapons and one with a handgun.

Everything happened so fast, she told police. She recalled thinking to herself that officers wouldn’t shoot.

“They are just trying to scare him to put the knife down,” she recalled thinking at the time.

In 2012, the U.S. Department of Justice found that encounters between Portland police officers and people with mental illness too often led to unnecessary uses of force, including deadly force. The DOJ also found that serious deficiencies in Oregon’s mental health care system meant police are frequently the first responders for people experiencing mental health crises.

Last week, the city of Portland said it was in “substantial compliance” with the DOJ settlement. However, oversight will continue for another year.