

EXCLUDING THE EXCLUSION ZONE

The Downtown Public Safety Committee met Monday, April 8, and weighed alternatives to the downtown exclusion zone, which is deemed unconstitutional and discriminatory by opponents and is set to expire in November 2013. The exclusion zone is one part of the Downtown Public Safety Zone strategy, which also includes more popular measures like CAHOOTS vans and increased bike patrols downtown. The panel also looked at various issues from safety houses for the homeless to the banning of dogs downtown.

‘We can be innovative and creative, even if we don’t have the funds right now.’

- BEVERLEE HUGHES,
EXECUTIVE DIRECTOR
FOOD FOR LANE COUNTY

In its final meeting before submitting recommendations to City Council on May 13, the committee, which includes representatives from the Eugene City Municipal Court, Human Rights Commission and Downtown Neighborhood Association, brainstormed an array of ideas in an effort to help improve downtown’s image and keep homeless people — the focus of discussion — from being pushed out of specific areas. But a lack of funds was seen as a roadblock.

Beverlee Hughes, meeting leader and executive director of FOOD For Lane County, was not in favor of all of the ideas posed, but overall, she said, changes can be made. “We can be innovative and creative,” she said, “even if we don’t have the funds right now.”

Among the suggestions was one from Anne Williams, St. Vincent de Paul’s housing manager. She brought to the committee’s attention Housing First, a housing project that would give 12 to 15 people in need a safe place to stay with no curfew or demand to seek treatment. “When safety needs are not

met,” she said, “it is very difficult to get anyone to put a value on improved health or dealing with substance or dealing with just about anything.”

Williams hopes that providing this safety for those in need will create a domino effect and help other aspects of their lives — she says a similar project saved \$19,000 per individual in Seattle. Initial funding and sustained upkeep hinder this proposal. “The rub is,” Williams said, “year in year out, how do you do it?”

The Downtown Public Safety Committee will consider this proposal along with others when it reconvenes in May. Ideas include creating more public restrooms, partnering with the mental health system, having more positive activities downtown and implementing a dog ban and no-smoking areas. — *Nick Poust*

HANDY’S BATTLES IN COURT CONTINUE

Almost a year after he began to fight misconduct charges he said were timed to be revealed just before the May 2012 election, former Lane County Commissioner Rob Handy’s public meetings, public records and federal lawsuits continue to make their way through the legal system.

U.S. District Court Judge Ann Aiken ruled in late March that Handy and fellow plaintiff, constituent Brian McCall, did not establish a case under federal law and she declined to take jurisdiction under state law, so Handy’s attorneys made a motion for permission to amend and clarify the complaint. Aiken effectively denied the repleading Handy’s attorneys filed when she entered her judgment on the case.

Handy’s case against Lane County, Liane Richardson, Jay Bozievich, Faye Stewart and Sid Leiken centered on the county locking him out of his office, restricting him in his ability access to the county building and keeping him from accessing his email account not only during a state investigation into the misconduct complaint, but also after the state investigators said there was no need to do so. The repleading says that those restrictions seriously “undermined his ability to do his elected job.”

The case started when Eugene businessman Alan Thayer and EWEB Commissioner John Brown alleged that Handy improperly solicited money to pay down a debt to the county, but the AG’s office investigated and said the facts didn’t show that Handy acted in his official capacity in soliciting the money or promised to do anything as an official. The state Ethics Commission is still looking at the allegation. Handy at the time predicted he would be exonerated, but too late for the election.

Handy’s federal case alleges retaliation for exercising his First Amendment rights and that he was denied due process and also alleges violations of the Constitution’s equal protection clause and of the Oregon Public Meetings Law. The last allegation arose from a swiftly called May 3, 2012, “emergency meeting” of the three conservative commissioners and Richardson in which it was decided to release public records in regard to Thayer’s complaint. Handy’s own public records request related to that case was met with a \$2.7 million fee, which Handy could not pay, and he said it was an unreasonable amount for a public records request. Handy is said to be appealing a Coos Bay judge’s ruling in that case.

The repleading sought to clarify points such as that Handy’s lack of office access was not “de minimus” or trivial, as Aiken wrote in her opinion, but rather says that “the computer to which he was given access was in a conference room that was used by other people for meetings; and he was unable to hold office hours for his constituents to come speak with him.” — *Camilla Mortensen*

ECO-SABOTEUR JAILED FOR SPEAKING OUT ON SECRET PRISONS

In 2007, when 10 Earth Liberation Front eco-saboteurs were sentenced in federal court in Eugene for their ecologically motivated arsons, their attorneys fought a “terrorism enhancement” label. They argued it should be saved for “the most dangerous types of offenses that threaten the fabric of our society,” not people who went out of their way to make sure

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SPRAY-PAINTING TO STOP HOMELESS CAMPS?

Citing local, state and federal codes, activist Alley Valkyrie says the early morning April 5 arrests by the Eugene Police Department of four men and four women, ranging in age from 18 to 38 years old, for camping under an overpass did not follow official policy, and were also a violation of human rights.

Valkyrie says the campers, who were sleeping under an overpass at Ferry Street Bridge, were woken up and arrested at around 1 am April 5. She says six others were left behind to “clean up the mess” and take care of the arrested campers’ dogs, but they were told they would also be arrested if they remained at the location another night. Valkyrie wrote in letter to the mayor and City Council that “Eugene Police Operations Manual (Chapter 3, Section 308.18) states that the police are to give 24-hours written notice when they plan on enforcing the camping ordinance on public property, which the police failed to do.” She says the city claims not to arrest people for camping, when in fact it does. The plight of the homeless who lack safe places to sleep has been a source of debate in Eugene recently and will be the topic of an upcoming City Council work session.

Valkyrie says that when the campers returned — because they had nowhere else to go — the police had spray-painted “no trespassing” on the overpass. She questions whether the police had the authority to do this and says the spray-paint job wouldn’t look official to anyone coming up to the site.

Police spokesperson Melinda McLaughlin says a growing number of “travelers” have been coming to the downtown area, and officers visiting the former gravel parking area under Ferry Street Bridge “have observed the piles of trash and the odor of raw sewage.” She says that EPD officers have warned the campers they are not allowed to camp there and have asked them to move, and adds, “We have heard, but have not yet confirmed whether officers spray-painted signage.”

Valkyrie and other homeless advocates gathered volunteers to clean up the site. She says the eight campers were originally charged with criminal trespass “despite the fact that there weren’t any posted ‘no trespassing’ signs, which are required in order for police to arrest for criminal trespass without first issuing a warning,” and held at the Lane County Jail until about 2:45 pm April 5. The city prosecutor changed the charge to “prohibited camping,” and Valkyrie says the campers were each fined \$100.

McLaughlin says EPD has initiated an internal affairs investigation and notified the police auditor.

Mayor Kitty Piercy responded to the letter, saying, “This is very troubling and not in keeping with the positive direction we have been trying to maintain,” and said she had asked for more information on the issue. — *Camilla Mortensen*



PHOTO COURTESY: ALLEY VALKYRIE