Besner

continued from page 1

front of his business, not only hurt his professional credibility and cost him customers, Hartfield says, but it made him rethink whether his race could be an obstacle to doing business in Portland.

"As I said in my tort claim notice, I'm going to need those guys sometime, whether it's because of a shoplifter or other mentally ill person," Hartfield says.

"If under these circumstances, when I have an obviously mentally ill person, witnesses up front, and I'm the owner of the store – under those circumstances if they can't figure out who the good guy is and who the bad guy is?"

Portland Police Chief Mike Reese confirmed to The Oregonian this week that he intends to promote Besner despite the seriousness of his misconduct in the past.

According to the watchdog group Portland Copwatch, Besner's misconduct has resulted in settlements including: $338,891 in the 2003 assault on political protestor Bill Ellis; $177,000 in the assault of teenaged transit rider Maria-Janeth Rodriguez-Sanchez in 2003; $500,000 in the shooting death of Raymond Gwerder in 2005; and $175,000 in the intimidation of Harold Hammick, Ri'Chard Booth and Alex Clay in a downtown parking garage in 2007.

Hartfield's tort claim alleges that when a mentally disturbed man pulled a knife on him in front of his customers, a struggle ensued in which Hartfield's handgun – which he has a legal permit to carry – fell out onto the ground.

As multiple witnesses looked on, Hartfield was able to physically overpower the man and get his gun back and holster it, as police units arrived outside.

Hartfield says the aggressor alerted Besner that Harfield had a handgun, and was "trying to kill him."

Over the objections of witnesses who'd seen the struggle, the officer demanded the gun, commanded Hartfield to put his hands behind his head, and then confiscated his wallet to check for a permit, Hartfield says.

When Besner claimed not to be able to find the gun permit – which Hartfield maintains was right in the front of his billfold where it was easily located hours later at the precinct – he handcuffed Hartfield in front of his store next to the Starbuck's parking lot and refused the business owner's request to continue the discussion inside his building.

> '...one of the witnesses said, hey, he owns the store, he's the victim...'

"And one of the witnesses said, hey, he owns the store, he's the victim, and Besner told her to stand back," Hartfield says.

Because of the tense standoff with the officer, Hartfield refused to give any testimony without his attorney present; that's when "things got weird," Hartfield says.

Besner allegedly re-applied the handcuffs in a tighter hold behind Hartfield's back and pushed him into a squad car while the witnesses were interviewed.

The claim says one customer then asked for her consigned items back while Hartfield sat cuffed in a police cruiser.

Eventually, as Hartfield continued to refuse questioning without his attorney present, Besner drove both him and the assailant to the Northeast Precinct, where Hartfield says Besner refused to remove the handcuffs or allow him to use the toilet near his cell while they waited for his attorney to arrive.

In the end, Hartfield's lawyer quickly facilitated a police statement and drove him back to his store.

"I was surprised, after I read the police report, that Besner admitted that he refused to remove the handcuffs until after my attorney arrived," Hartfield says. "I was thinking that it could not get any worse – and it did. That was one of the more vindictive things that he did."

Hartfield is particularly disturbed by his treatment after Besner had interviewed witnesses and "had all the facts," he says. "Besner had spoken to the other police officers, he had all the information from the witnesses, so by the time he made the decision to drive me to the precinct, and he knew that there were witnesses who saw me trying to get this mentally ill person out of the store.

"When the facts were getting kind of weird, I thought: he seems hostile and why is he so adamant about questioning me outside of the store?

"And so under those circumstances I did exactly what I would tell my clients and that is: You don't talk when you're being accused of something unless you've got an attorney. You're not going to talk yourself out of whatever presumption this officer has already made."

Read the rest of this story online at www.theskanner.com

Game Day

PHOTO BY AIDEN SILVIS

With a national championship and a bowl visit to play for, the ESPN network delivered even more excitement to Saturday's football match between Oregon State and the University of Oregon, by broadcasting College Game Day live from the OSU campus in Corvallis for the first time ever.

Mortgage

continued from page 1

er refinances or sells the property for a profit, the mortgage payment assistance is being treated like a grant – without the tax implications, says Joyce.

"It's here to help people, not be a slush fund," she said.

Joyce says the agency hopes that these loans will prevent foreclosure and that even more troubled homeowners will receive assistance with any leftover money from the fund. Because eligibility for the program is established monthly, some participants may end up finding a job and no longer needing help.

That's when the agency's other programs may help. Set to be launched in the early part of 2011, Oregon Housing and Community Service will be starting programs designed to help people move who are living in unaffordable homes; provide assistance for fees and fines for people who have regained employment and are recovering from missed payments; and loan modification assistant program to help move a loan into a lower interest rate.

To sign up for the mortgage assistance program, visit www.oregonhomeownerhelp.org. The application is available starting on Dec. 10. If you or someone you know who may be eligible doesn't have access to a computer, Hacienda CDC will be opening a temporary office at Portland's Double Tree Hotel with free online application access.

Qualifications for the mortgage assistance program:

•The household's income cannot be equal to or more than 120 percent of state median income. A homeowner who has an Oregon bond loan meets this test. For details, see the State Median Income Table.

• The homeowner's current first mortgage must date before January 1, 2009.

• The homeowner must be unemployed or have a verifiable loss in income of 25 percent or more.

• The homeowner cannot have more than four months of mortgage payments available as liquid assets. (Retirement and education savings accounts are OK).

• The homeowner must complete and sign a Financial Hardship Affidavit.

• The homeowner, in connection with a mortgage or real estate transaction, cannot have been convicted, within the last 10 years, of any one of the following: (A) felony larceny, theft, fraud or forgery, (B) money laundering or (C) tax evasion.

• The subject property must be an owner-occupied, primary residence and be located in Oregon. Manufactured homes are eligible only if the structure is recorded in the county's deed records. *Note: Condominiums and Town homes are NOT considered single-family, 1-unit, detached homes.

• The homeowner's unpaid mortgage balance cannot exceed $729,750.

• Homeowners who have received notification of trustee/sheriff sale before February 1, 2011 are ineligible for the MPA program.

• Homeowners who own other residential real property are ineligible for the MPA program.

• Homeowners who are currently in active bankruptcy are ineligible for the MPA program.

• Any homeowner who knowingly submits more than one application for the MPA program is ineligible.

College

continued from page 1

ed" package that will appeal to admissions officers, as well as information on testing and accreditation. Juniors and seniors will be able to meet with representatives from a number of different schools and receive financial aid and scholarship information.

Livingston says the fair is an excellent opportunity to ask questions about school offerings, but what college life is all about on different campuses.

"A lot of students have questions about what it's like. What's it like being away from home?" she said. "When you get to a university, you are going to a different culture."

> 'A lot of students have questions about what it's like. What's it like being away from home?'

Although official representatives won't be there, many alumni from some of the nation's top Historically Black Colleges and Universities will be there, including Spelman, Tuskegee, and Langston.

With about $800,000 in scholarships available from the Black United Fund – many available to the area's many private institutions — students will be able to scope out prospective schools before the Jan. 13 scholarship application deadline. Check out http://www.bufor.org/index.php/pages/scholarships/university_scholarships for a list of scholarships.

In addition to the many local schools represented at the fair – including Lewis & Clark, Oregon State, Reed, University of Portland, Willamette and others – the Black United Fund will be providing a college directory of Historically Black Colleges and Universities, which will also have a list of all scholarships available by school, geographic location, ethnicity and other requirements.

Parents are encouraged to attend with their children. Visit www.bufor.org for more information.