



## The League of Women Voters of Portland

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**DATE:** November 13, 2018

**TO:** Mayor Wheeler, Commissioners Eudaly, Fish, Fritz, and Saltzman

**FROM:** Doreen Binder, president  
Debbie Aiona, Action Committee chair

**RE:** Time, place, and manner regulations for demonstrations (Council Agenda #1173)

The League of Women Voters of Portland is very concerned about the number and gravity of issues related to the proposed ordinance to impose time, place, and manner restrictions on protesters. Our organization strongly supports the public's right to engage in constitutionally protected speech and assembly.

Rather than voting on this ordinance on Wednesday, we urge you to appoint a workgroup of limited duration to research how other jurisdictions handle violent protests. It should consider the U.S. and Oregon constitutional and legal issues related to implementation that were raised at the November 8 hearing, explore existing laws and methods that could be used more effectively, and determine whether there is a need for new legislation at this time. It is entirely possible that a consensus will emerge, allowing City Council to enact a plan the public and Police Bureau can support. Workgroup meetings should be open to the public so that interested individuals will understand the rationale behind a new policy proposal and will be able to provide meaningful feedback.

The League thinks the current proposal is overly broad and puts too much authority in the hands of one individual. We find the objections raised by constitutional experts convincing and worrisome. Furthermore, it is not clear that imposing time, place, and manner restrictions on protesters when there is a fear of violence will reduce problematic behavior or conserve police resources. The possibility of endless litigation, regardless of whether the City Attorney's staff has the capacity to manage it, should also give you pause.

Finally, the serious questions raised by Commissioner Eudaly at the hearing, including the Police Bureau's crowd control practices, its use of devices such as flash grenades and pepper spray, and a perceived bias in its interactions with white nationalist groups deserve further discussion. These should be topics the new Portland Committee on Community Engaged Policing includes in its work.

A decision of this magnitude deserves very careful consideration. In our view, the best way forward is forming a workgroup to address the multitude of issues that were raised at the hearing and to explore other options.

To promote political responsibility through informed and active participation in government.