

## Council work session agenda

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<b>Tuesday, October 26, 2021</b>	<b>10:30 AM</b>	<b><a href="https://zoom.us/j/471155552">https://zoom.us/j/471155552</a> or <b>888-475-4499 (toll free)</b></b>
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Please note: To limit the spread of COVID-19, Metro Regional Center is now closed to the public.

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If you wish to attend the meeting, but do not have the ability to attend by phone or computer, please contact the Legislative Coordinator at least 24 hours before the noticed meeting time by phone at 503-797-1916 or email at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov).

### 10:30 Call to Order and Roll Call

#### Work Session Topics:

10:35 Federal, State and Tribal Affairs Legislative Agenda [21-5599](#)

Presenter(s): Anneliese Koehler (she/her), Metro,  
Tyler Frisbee (she/her), Metro  
Katie McDonald (she/her), Metro

Attachments: [Staff Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)  
[Attachment 4](#)

11:20 Reimagine Oregon: Reimagining Policing, Security and the  
Use of Incarcerated Labor Project

[21-5606](#)

Presenter(s): Marissa Madrigal (she/her), Metro  
Punneh Abdolhosseini (she/her), Metro

Attachments: [Staff Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)  
[Attachment 4](#)

**12:05 Councilor Communication**

**12:10 Chief Operating Officer Communication**

**12:15 Adjourn**

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬស្នើសុំទទួលបានកាតបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។  
បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក។

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**Federal, State and Tribal Affairs Legislative Agenda**  
*Work Session Topic*

Metro Council Work Session  
Tuesday, October 26, 2021

## FEDERAL, STATE AND TRIBAL AFFAIRS LEGISLATIVE AGENDA

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Date: 9/30/21

Department: GAPD

Meeting Date: 10/26/21

Presenters: Tyler Frisbee, Deputy Director, Anneliese Koehler, State and Regional Affairs Advisor and Katie McDonald, Tribal Liaison

Prepared by: Tyler Frisbee, Deputy Director, Anneliese Koehler, State and Regional Affairs Advisor and Katie McDonald, Tribal Liaison

Length: 45 minutes

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### **ISSUE STATEMENT**

This work session is the first opportunity to discuss the Metro Council's objectives for the 2022 Federal Legislative Agenda, the 2022 Oregon legislative session and to introduce the Tribal Affairs Agenda which is framed as a program work plan. Proposed legislative priorities and work plans will be discussed; additional concepts will be presented at a subsequent work session in November or December.

### **ACTION REQUESTED**

The Council may wish to discuss specific legislative concepts, principles or direct staff to develop additional concepts before adopting its federal and state legislative agendas for 2022 or the Tribal Affairs agenda for FY2022-2023.

### **IDENTIFIED POLICY OUTCOMES**

Support Metro's policy goals through engagement with Congress, federal agencies, the State Legislature, and sovereign tribal governments.

### **POLICY QUESTION(S)**

- Does the Council wish to confirm previous policy direction under which staff is currently operating with respect to federal issues that are likely to surface in 2022?
- Does the Council wish to confirm previous policy direction under which staff is currently operating with respect to the upcoming State legislative session in February 2022?
- Does Council wish to adopt additional topics to the state legislative positions?
- Does the Council wish to request changes to the Tribal Affairs agenda as outlined in the attachments?

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

See attachments for Federal Affairs Legislative Agenda, State Legislative Principles, State Legislative Issue Sheets and Tribal Affairs Agenda. Note that these are initial drafts. We plan to come to you again in November or December for further refinement before final approval in January of 2022.

## **STAFF RECOMMENDATIONS**

See attached Federal Affairs Legislative Agenda, State Legislative Principles, State Legislative Issues Sheets and Tribal Affairs Agenda.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

The Metro Government Affairs and Policy Development group is bringing all three of our government legislative agendas to Council in order to give Council an opportunity to see the full spectrum of our government to government work. This presentation includes our federal legislative agenda, state legislative agenda, and the full Tribal Government Work Program.

Over the course of the fall, we met with Metro Departmental leadership to discuss our federal and state legislative agendas and our tribal affairs agenda. We have incorporated their feedback into our presentation to you today and will continue to work closely with them as we work to develop our legislative priorities and work plans for 2022.

In addition, we are also working with our regional governmental partners and community partners to discuss their priorities for 2022 and look for opportunities for partnership and collaboration.

### Federal Affairs

Council approved Metro's first comprehensive federal agenda in February of 2021. In general, staff will intend to bring an updated federal agenda to Council every two years, in order to align with the Congressional calendar. However, given the interest in aligning all of our legislative agendas and the flurry of activity in DC, staff are bringing this updated agenda to Council for a brief check-in.

With the passage of the American Rescue Act, and the Bipartisan Infrastructure Bill and possible Build Back Better bill, many of Council's urgent priorities due to the economic impacts of the pandemic have been addressed. The Zoo and the P5 Performing Arts Venues have cumulatively received \$18 million from the Shuttered Venue Grants program and the Metropolitan Planning Organization has also received increased funds to address emergency shortfalls. There will likely be future funding opportunities if the Bipartisan Infrastructure Bill and Build Back Better bill pass, including possible waste facilities funding, increased capital funding for transit projects and trail projects, and additional workforce funding programs. The update to the federal legislative agenda reflects the accomplishments Council has already achieved and the new landscape due to changing legislative opportunities.

### State Legislative Affairs

The 2022 Legislative session is a short session lasting roughly a month. Unlike long sessions, short sessions focus on small, necessary budgetary tweaks and passing technical fixes and a few pieces of policy legislation. It is uncommon for large, controversial pieces of legislation or significant budget changes to occur. Many parties approach the short session with only one or two minor bills, and the session is set up to be limiting: legislators are only allowed two bills.

Similar to the 2021 Legislative Session, we anticipate that COVID-19 response – both public health and economic recovery -- to be top line priorities. While the situation remains fluid, we anticipate that much of the short session will be virtual. The Capitol will be open to the public, but many hearing rooms and offices will be closed because of earthquake retrofitting.

In addition, we anticipate that it will be a particularly political and partisan session. The combination of redistricting, an open seat for Governor, and a new Congressional seat creates a heightened political environment over the next year, including short session. Noncontroversial bills will become instantly controversial because of their sponsors, there will be highly partisan parliamentary maneuvering in committee and on the floor, and the rumor mill will be vigorous.

While it will be a unique short session, normal preparation are already under way. Bill concepts are being discussed and circulated and people are meeting to advance policy priorities. Similar to previous short sessions, staff expects to propose a modest legislative agenda that reflects well-established Council policy and/or legislative priorities that have previously been included in the Council's agenda.

### Tribal Affairs

Metro Council desires to establish meaningful and mutually beneficial relationships with Tribes with interests in the greater Portland metropolitan area. These desires stemmed from increasing internal and external requests for Tribes involvement in Metro's work and recognition by the Metro Council that tribal relations should be part of Metro's work. Through this work, Metro seeks to recognize tribal sovereignty, respect tribal rights and explore opportunities to incorporate tribal interests and priorities into Metro's work wherever practicable

The Metro Council Tribal Affairs Agenda lays out the principles, priorities and areas for policy and program development for Metro to advance a Tribal Affairs program in fiscal years 2022- 2023 coordinated by the Government Affairs and Policy Development team in coordination with Metro Council, leadership and staff. Presently, more opportunities for Tribal Affairs program development exist than there is internal capacity to support. Additionally, it is recommended that consultation and engagement efforts initiated with Tribes are sustainable, transparent and meet the guiding principles proposed in the agenda. This agenda identifies how Metro should lead successful intergovernmental relations while Metro builds additional internal capacity and leadership through staff training, department-specific annual planning, and proposing a five year Tribal Affairs strategy.

This is a new and unique body of work in addition to federal, state and local affairs therefore it will take time to build relationships with the Tribes and internal capacity to lead and integrate this work. Coordinated external relationship building, focused policy development and sustained internal support across departments from the staff level to senior leadership and the Metro Council are imperative to success.

Metro's priorities should be informed by and consider the Tribes' priorities for Metro's Tribal Affairs program development. We propose to work with representatives from Tribes to present and discuss our Tribal Affairs agenda and incorporate their feedback. We plan to present updates to the Tribal Affairs agenda to Metro Departmental leadership and Metro Council in November or December for further refinement before final approval in January of 2022.

## **BACKGROUND**

Council has previously adopted the Federal Affairs Legislative Agenda and Principles in February 2021. This updated agenda is rooted in the principles Council supported at that time and features slightly updated priorities given the new legislative landscape.

Council updated the State Legislative Principles in January 2021 in advance of the long session. Council's state legislative agendas are rooted in these principles.

Council has not previously adopted a Tribal Affairs Agenda. Today's discussion of the Tribal Affairs Agenda is the first of its kind for consideration by Metro Council.

## **ATTACHMENTS [Identify and submit any attachments related to this legislation or presentation]**

- Federal Legislative Affairs Agenda
- State Legislative Affairs Principles
- State Legislative Affairs Issue Sheets
- Tribal Affairs Agenda

[For work session:]

- Is legislation required for Council action? ☐ Yes ☒ No
- If yes, is draft legislation attached? ☐ Yes ☐ No
- What other materials are you presenting today? [INSERT]



## METRO 2022 LEGISLATIVE ISSUE IDENTIFICATION

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**Person completing form/Department:** Scott Klag, WPES

**Date:** September 29, 2021

### **ISSUE: Extended Producer Responsibility for Mattresses**

**BACKGROUND:** Extended Producer Responsibility (EPR) legislation for mattresses will create jobs, recover materials that can be recycled into new products and divert mattresses from solid waste facilities, where they are difficult and dangerous to manage.

Mattresses are present in the waste stream in significant numbers and pose a problem for the solid waste system. Thousands of mattresses from the Metro region and across Oregon are discarded each year. These bulky, hard-to-handle items are difficult to process as garbage and can pose a safety hazard to solid waste workers. Metal springs in the mattresses can damage equipment at our solid waste facilities.

A stewardship program will create new jobs at facilities set up to recycle mattresses. Disassembling mattresses can provide permanent employment and training opportunities for populations that face significant barriers to employment, including a history of incarceration or homelessness.

Once disassembled, up to 85 percent of a typical mattress is recyclable. Materials such as metal, foam, cotton and wood can be used to make new products and prevent the harvesting of virgin materials.

This program will build on Oregon's legacy of establishing successful EPR programs such as those for beverage containers, leftover paint and discarded electronics. Manufacturers selling their products into the state will be required to belong to a stewardship organization. The stewardship organization will be required to achieve certain standards of convenience to ensure services are available to all Oregonians. Like the Oregon paint producer responsibility law, an assessment will be collected at the point of sale when a consumer purchases a mattress; there will be no charge to drop off for recycling. The state will approve the assessment to ensure it will cover, but not exceed, the cost of the program.

**RECOMMENDATION:** Support a statewide EPR for mattress legislation.

A statewide program would be more beneficial than a regional program as it offers greater coverage and potentially greater efficiencies than a regional one and would be overseen by the DEQ, which has developed expertise with these types of programs. However, if the state legislation does not pass, Metro would develop and implement a program at the regional level.

**LEGISLATIVE HISTORY:** An unfortunate miscommunication last session resulted in the state wide EPR program for mattresses (SB 570) not passing. The Senate policy committee passed the bill (4-1-0) and it went to the Joint Ways and Means Committee. The mattress industry sent a letter to that committee in support of the bill. However, this fact apparently was not understood by the committee, leading to the bill not getting a hearing.

We have heard from the committee that this was unintended and that the bill should be brought forward again in 2022. The bill's 2021 sponsor, Senator Manning, has agreed to sponsor the bill in 2022. We also have heard that the mattress industry stands by their previous endorsement.

Metro has supported state legislation establishing a producer responsibility program for mattresses for the last three legislative sessions. After the 2019 session, the Metro Council passed Resolution 20-5069 supporting a state bill, but expressing Councilors' interest in pursuing such legislation regionally if it failed to pass at the state level.

Three other states (Connecticut, Rhode Island and California) have passed similar legislation and are successfully collecting and recycling hundreds of thousands of mattresses.

**OTHER INTERESTED PARTIES:** The Association of Oregon Recyclers (AOR) (composed of, among others, solid waste and recycling companies and local and state governments) supported the bill. BRING, a Eugene based reuse and recycling non-profit was strongly supportive. Other supportive parties include mattress recyclers. As noted above, the main association of mattress manufacturers has endorsed the bill.

**IMPACT IF PROPOSED ACTION OCCURS:** An EPR program for mattresses will provide the following for the region:

- **Policy:** An EPR program for mattresses aligns with multiple goals and actions within the 2030 Regional Waste Plan.
- **Equity:** The legislation requires provision of free, convenient and accessible collection opportunities for any person in the state. The legislation will increase collection from multifamily residences, low-income communities and communities of color.
- **Operations:** The increased services will reduce the number of mattresses in the waste stream and improve safety conditions for workers at transfer stations. More convenient disposal options should also reduce illegal dumping of mattresses.
- **Employment:** Mattress recycling facilities that will be supported by this legislation can create permanent employment and training opportunities for populations that face significant barriers to employment, including a history of incarceration or homelessness.
- **Climate:** Significant reductions in greenhouse gases and energy use have been shown to result from reuse and recycling of mattress components.

# METRO COUNCIL 2022 LEGISLATIVE PRINCIPLES<sup>1</sup>

## GENERAL PRINCIPLES:

1. **Successful Communities:** Metro supports policy and funding solutions that facilitate the achievement of the six desired outcomes for successful communities that have been agreed upon by the region: vibrant, walkable communities; economic competitiveness and prosperity; safe and reliable transportation choices; leadership in minimizing contributions to climate change; clean air, clean water and healthy ecosystems; and equitable distribution of the burdens and benefits of growth and change.<sup>2</sup>
2. **Racial Diversity, Equity and Inclusion:** Metro envisions a region and state where a person's race, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Metro therefore supports legislation that acknowledges past discrimination, addresses current disparities and promotes inclusion in public programs, services, facilities and policies.<sup>3</sup>
3. **Climate Change:** Metro supports efforts to combat and adapt to climate change and to meet the state's goals for reducing greenhouse gas emissions. To this end, Metro supports state policy and funding solutions that can help to reduce emissions in all of its main lines of business: land use and transportation planning and investment, housing and homeless services, solid waste management and prevention, parks and natural areas, and operation of visitor venues.
4. **Pre-emption:** With respect to issues related to matters of regional concern, Metro's policy and funding authority should not be pre-empted or eroded.
5. **Funding:** To ensure a prosperous economy, a clean and healthy environment, and a high quality of life for all of their citizens, Metro and the region's counties, cities, and other service providers must have the financial resources to provide sustainable, quality public services. Accordingly, the Legislature should remove existing restrictions on local and regional revenue-raising authority and avoid enacting new limitations or pre-emptions, and all state mandates should be accompanied by funding.

## SPECIFIC PRINCIPLES:

### HOUSING:

6. **Affordable Housing:** Metro supports efforts to ensure that housing choices are available to people of all incomes in every community in our region; to reduce the number of households that are burdened by the combined costs of housing and transportation; to support people experiencing homelessness or at risk of losing housing; and to increase affordable opportunities for home ownership.<sup>4</sup> To achieve these outcomes, Metro supports legislative actions consistent with Oregon's land use laws that increase the supply of both regulated affordable housing and market-rate housing; provide funding for both housing development and services that support lower-income renters and people experiencing homelessness; and provide reasonable protections for renters against arbitrary and unfair actions.

## **LAND USE AND URBAN GROWTH MANAGEMENT:**

- 7. Oregon's Land Use System:** Oregon's land use planning system provides an important foundation for the prosperity, sustainability and livability of our region; this system reflects the values of Oregonians and enjoys strong public support.<sup>5</sup> The Legislature should exercise restraint and care when considering changes to Oregon's land use system.
- 8. Local Land Use Decisions:** Management of the urban growth boundary is a complex undertaking that involves extensive analysis, public input, and a balancing of many factors. Urban growth management decisions have profound impacts not just on land at the boundary, but on communities within the boundary and on farms and other rural lands outside the boundary. For these reasons, the Legislature should establish the process and policy framework for local land use decisions and should affirm the authority of local governments, including Metro, to make specific decisions on local land use matters.
- 9. Efficient Use of Existing Urban Land:** Land within the urban growth boundary should be used efficiently before the boundary is expanded.<sup>6</sup> Metro supports policy and funding strategies to facilitate efficient use of existing urban land, including investments in brownfield cleanup and industrial site readiness, as well as policy and zoning reforms that authorize and/or encourage more efficient development in residential and commercial areas.
- 10. Need:** The UGB should not be expanded in the absence of demonstrated need.<sup>7</sup>
- 11. Integration of Land Use and Transportation:** Land use and transportation planning should be coordinated so land uses do not undermine the efficiency and reliability of the transportation system and transportation investments do not lead to unintended or inefficient land uses.<sup>8</sup>
- 12. Annexation:** Cities are the preferred governing structure for providing public services to urban areas, and Metro supports reforms that will facilitate, or reduce barriers to, orderly annexation and incorporation.
- 13. Fiscal Responsibility:** Funding to support urban development should be generated at least in part by fees on those who directly benefit from that development.

## **SOLID WASTE:**

- 14. Life Cycle Approach:** Metro supports efforts to minimize the health, safety, environmental, economic and social impacts associated with consumer products and packaging throughout all stages of a product's life cycle, beginning with resource extraction and continuing through design, manufacturing, consumption and disposal.<sup>9</sup>
- 15. Product Stewardship/Producer Responsibility:** Metro supports legislation providing that whoever designs, produces, sells or uses a product bears responsibility for minimizing the product's environmental impact throughout all stages of the product's life cycle. Under this market-based approach, the life-cycle costs of a product are internalized into its price rather than being forced onto the general public. This approach also provides an incentive for manufacturers to design and produce their goods in a way that minimizes waste, environmental impact and management costs.
- 16. Equity in the Solid Waste System:** The Regional Waste Plan aims to eliminate disparities experienced by people of color and historically marginalized communities from the full life cycle of products and packaging used and disposed in the region. Metro supports legislation that achieves this by advancing: community restoration, community partnerships and community investment; access to recycling, waste and reuse services and information; good jobs with improved worker health and safety, compensation and career pathways; business

opportunities in the local economy; and community health through minimized impacts from system operations - locally and in end markets - and from toxic chemicals in products and packaging. Legislation should require the establishment of targets, standards and compliance processes, as appropriate, to ensure progress toward equity goals.

#### **TRANSPORTATION:**

- 21. Transportation Funding:** Providing adequate funding for all transportation modes that move people and freight supports economic prosperity, community livability, public health and environmental quality. For these reasons, Metro supports an increase in overall transportation funding, investments in a safe and balanced multimodal transportation system that addresses the needs of all users, and flexibility in the system to provide for local solutions to transportation problems.
- 22. Climate Change:** Metro and its regional partners are committed to the Climate Smart Strategy, which includes actions needed to achieve state targets for reducing greenhouse gas emissions from transportation. The state should provide financial support for implementation of the Climate Smart Strategy.
- 23. Safe and Equitable Transportation:** Our region has adopted policies and developed programs to make it safer to walk and bike to school and other destinations, reduce serious traffic crashes and deaths, and reduce the disproportionate impact of traffic crashes and traffic enforcement in low income communities and communities of color.<sup>10</sup> Metro supports legislation that advances safe and equitable transportation, including more effective and equitable enforcement of speed limits and other safety regulations, greater investment in infrastructure that improves safety (especially in disadvantaged communities), and greater authority for local governments to safely manage their transportation networks.

#### **PARKS, NATURE AND CONSERVATION:**

- 24. Parks and Natural Areas:** Our region has invested heavily in protecting water quality and wildlife habitat and providing residents with access to nature and outdoor activity. Parks and natural areas are regional assets that support public health, environmental quality, strong property values and economic prosperity. For these reasons, Metro supports measures to increase local and regional authority to raise revenues to support parks and natural areas and to increase the level of state funding distributed to local governments for acquisition, capital improvements, and park operations.
- 25. Species Conservation:** Metro supports efforts to protect and restore wildlife habitat, to recover threatened and endangered species, and to create a better future for wildlife, both in Oregon and globally.
- 26. Conservation Education:** Metro supports efforts to provide stable and reliable funding to conservation education.

#### **ECONOMIC PROSPERITY:**

- 28. Metro Venues:** Because the Oregon Convention Center, Expo Center, Portland's Centers for the Arts and Oregon Zoo contribute millions of dollars to the state and regional economies, Metro supports policy and funding solutions that facilitate the success of these venues in attracting visitors and enhancing the quality of their experiences.

## AGENCY OPERATIONS:

- 29. Firearms and Public Facilities:** Metro supports legislation that increases Metro's authority to regulate the carrying of firearms on Metro properties and public venues, and opposes legislation that limits or reduces that authority.
- 30. Disaster Preparedness:** Metro supports legislative efforts to improve community disaster preparedness and resilience, with the goal of enabling the Portland region to provide for the immediate needs of its residents and businesses after a catastrophic event and facilitating the region's short- and long-term recovery.

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<sup>1</sup> Unless otherwise noted, endnotes refer to applicable policy statements in Metro's [Regional Framework Plan](#) (RFP).

<sup>2</sup> RFP Chapter 1 (Land Use).

<sup>3</sup> [Strategic plan to advance racial equity, diversity and inclusion](#).

<sup>4</sup> RFP Policy 1.3 (Housing Choices and Opportunities).

<sup>5</sup> See <http://oregonvaluesproject.org/findings/top-findings/> (specifically item 5, Natural Resource Protections for Future Generations)

<sup>6</sup> RFP Policy 1.1 (Compact Urban Form).

<sup>7</sup> RFP Policy 1.9 (Urban Growth Boundary).

<sup>8</sup> RFP Policy 1.3.13 (Housing Choices and Opportunities); Transportation Goal 1 (Foster Vibrant Communities and Efficient Urban Form).

<sup>9</sup> [2030 Regional Waste Plan](#), page 11.

<sup>10</sup> [2018 Regional Transportation Plan, Chapter 3](#), Safety and Security Policies 1-9 and Transportation Equity Policies 1-7.

## **DRAFT 2.0**

### **METRO COUNCIL TRIBAL AFFAIRS AGENDA FY 2022 - 2023**

Metro Council desires to establish meaningful and mutually beneficial relationships with Tribes with interests in what is now known as the greater Portland metropolitan area. Creation of the Tribal Affairs program at Metro stemmed from increasing internal and external requests for tribal involvement in Metro's work and appreciation from Metro Council and leadership that Tribes should be engaged in Metro's work in recognition of tribal sovereignty among other important considerations.

The Metro Council Tribal Affairs Agenda lays out the principles, priorities and areas for policy and program development for Metro to advance a Tribal Affairs program beginning in fiscal years 2022-2023. The Tribal Affairs program also distinguishes government-to-government relations with Tribes from Metro's engagement with urban Indigenous populations and communities in the greater Portland area.

Through this work, Metro seeks to support tribal sovereignty, honor tribal rights and explore opportunities to incorporate tribal interests and priorities into Metro's work. This is a new and unique body of work in addition to federal, state and local government affairs at Metro therefore it will take time to build relationships and internal capacity to lead these efforts. Coordinated external relationship building, focused policy development and sustained internal support across departments from the staff level to senior leadership and the Metro Council are imperative to success. This document captures key needs and goals of Metro Council as this new body of Tribal Affairs work is undertaken within the office of Government Affairs and Policy Development (GAPD) Office.

#### **BACKGROUND**

Tribes are independent sovereigns with inherent powers of self-government. Tribes have a political relationship with the U.S. government that does not derive from race or ethnicity. Treaties are listed among the elements that make up "the supreme law of the land" under the U.S. Constitution. Local governments, under this "Supremacy Clause" of the U.S. Constitution, must respect rights created by or reserved in Indian treaties and cannot pass ordinances or laws that interfere with, or are contrary to, federal law. In many treaties, Tribes ceded millions of acres of land to the United States in exchange for peace, a halting settler encroachment and certain terms, including the legal rights to hunt, fish and gather in their usual and accustomed areas both inside and outside of reservation land.

The lands of what is now known as the greater Portland metropolitan area are part of the aboriginal homelands, traditional territories and usual and accustomed areas of multiple Tribes who resided throughout the Willamette Valley and along the Willamette and Columbia Rivers and their tributaries in traditional villages, permanent communities and seasonal encampments. The relationship of Tribes, their lands and interests extends from time immemorial to the present day and beyond, with complexities that were further complicated by the removal and consolidation of families and bands to multiple reservations, which largely became the basis of confederations of Tribes today. Each Tribe's interests are distinct; the multiplicity of these interests overlap and intersect with the static boundaries of Metro's service area and the urban growth boundary in various ways.

Metro will engage and consult with Tribes on Metro projects, actions, decisions or policy making which have the potential to affect: tribal interests, the operation of tribal programs or services, include ground disturbing activities and or are proximal to waterways or ESA listed species designated habitat, as appropriate or requested by the Tribes.

Tribal interests may include but are not limited to:

- Tribal Lands such as ceded lands, aboriginal homelands, areas of cultural interest or usual and accustomed areas;
- Tribal treaty rights such as the right to hunt or fish in usual and accustomed areas and or implied rights such as sufficient availability and health of critical habitat necessary to support productive fisheries for treaty-guaranteed fishing;
- Cultural resources, ancestral remains or sacred sites;
- First Foods;
- Access to traditional areas of cultural or religious importance or usual and accustomed areas;
- Ability to exercise traditional, cultural or subsistence activities.

Tribes may be engaged in many aspects of Metro's work. For example, Tribes can be engaged to identify priority focal species for Parks and Nature conservation and restoration efforts, to help develop a program check list to protect cultural resources, and or within a particular project to provide input on implementation actions to protect tribal resources (e.g. where to place a hiking trail to avoid disturbance of a cultural resource, or introducing a traditional method for transplanting culturally important plant species). It is critical that Metro develop productive and trustworthy relationships with the Tribes so that Metro can proactively ask what areas of Metro's work the Tribes would like to engage on.



## GOALS

Through its tribal relations work, Metro seeks to accomplish and realize the following goals:

- Build positive relationships with Tribes, tribal staff and representatives to explore opportunities for partnership and collaboration to understand and address tribal interests wherever practicable in Metro's work.
- Support tribal sovereignty and treaty rights, protect and preserve tribal interests and resources, and enhance opportunities for the pursuit of traditional lifeways of Tribes and Indigenous communities in the greater Portland area.
- Improve Metro's work through incorporating tribal perspectives and expertise, Traditional Knowledge, Indigenous world views and aboriginal rights.
- Increase the public's understanding of tribal interests, priorities and connections in the greater Portland area.

Relationships and partnerships with Tribes will support Metro's efforts to advance the region's six desired outcomes and other goals and priorities of the agency. More specifically, Metro hopes the development and implementation of its work can be informed by tribal priorities and interests, and where possible, done in conjunction and partnership with Tribes.

## METRO TRIBAL AFFAIRS PRINCIPLES

The Metro Tribal Affairs Principles are the key values that will guide Metro's relations, engagement and informal consultation with Tribes. Metro Council affirms the following principles and recognizes their importance to facilitating successful tribal relations.

- **Support government-to-government relations** - Metro's relationships and engagement with Tribes will draw upon principles of diplomacy. A government-to-government relationship includes mutual recognition of the authority and position of the respective parties as governmental entities. Tribal governments will be engaged in a direct governmental manner which is distinct from community or public engagement approaches and engagement activities with urban Indigenous communities and populations.
- **Foster trust** - Trust is a fundamental element of establishing a good relationship. Honesty and integrity will be maintained by Metro at all times to foster a solid foundation of trust, common understanding and vision.
- **Engage in good faith** – Metro shall listen to and consider tribal comments carefully. Through engaging in good faith and with respect, solutions can be identified which embrace different cultures, values, interests and positions toward mutually beneficial ends. Metro will not engage Tribes on any predetermined outcomes or decisions and will strive to ensure each opportunity has the real

potential to make a positive difference for all involved Tribes, Metro and all the people/residents of our region.

- **Early planning** – Metro shall plan to engage and consult with Tribes as early as possible. Planning will include providing ample notice of meetings, multiple meeting opportunities and wherever possible, conducting meetings and engagement at both Metro and tribal locations.
- **Collaboration** - Valuable solutions arise through working together in generating, inventing and innovating in the co-production of knowledge that will guide Metro's work. Collaboration engenders mutual understanding and respect.
- **Communication** – Continuous communication is critical. Meaningful dialogue is more than just a listening session; it is early, often and involves two-way dialogue and feedback. Metro will conduct its communication in a manner that is mindful of tribal preferences and will strive to provide full and candid project information at all times.
- **Building towards agreement and consensus** - Metro will strive to reach agreement amongst all parties. This includes ensuring all parties are heard and respected, all ideas, concerns and options are explored, best available input and information is utilized, and decisions are made in a transparent manner. Metro will create opportunities where the interests of Tribes and Metro can be shared, discussed and evaluated together, involving technical and policy leadership of all parties as appropriate.
- **Advance conservation and protection** - Metro supports efforts to protect, preserve and restore natural and cultural resources and First Foods which are integral to Tribes, tribal life-ways and historical and ongoing relationships to the landscape to create a better future in Oregon and globally.
- **Advance racial equity** - Metro envisions a region and state where a person's race, place of birth, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Tribes, their communities and urban Indigenous communities and populations will be included in Metro's racial equity work.
- **Advance regional coordination** - Many of our region's challenges are big and complex and require coordination between cities, counties and other local forms of government. Metro commits to exploring opportunities to support regional planning and coordination with the involvement of Tribes.
- **Commitment to Resources** – Metro will identify resources at its disposal to provide support to Tribes when limited resources may preclude or prevent their engagement with Metro. This includes providing technical assistance, accessibility assistance and other support services to ensure participation of Tribes and their representatives. When technical or subject matter expertise is

provided, Metro will explore available options to provide compensation in recognition of the Tribes' time and efforts to inform Metro's work.

- **Do no harm** – Metro will use best efforts to ensure no harm comes to the Tribes through working with Metro. Exploitation of Tribes, their input, intellectual properties or Traditional Knowledge shall never occur. Metro commits itself to being a good partner who works collaboratively with all parties, using differences if and when they arise to productively to build toward solutions and outcomes that do not erode trust or relationships between Tribes and Metro, or between Tribes.

## **PRIORITIES**

Priorities for Metro's Tribal Affairs agenda are organized into four areas including operational activities, policy development, project support and legislative agenda. In this agenda, Metro Council is providing direction on near-term priorities and efforts that will support the agency to build longer term capacity to support a broad portfolio of tribal coordination activities. Priorities for [timeframe] listed below have been identified through support requests from Metro departments, projects with existing tribal relations or coordination activities and needs, and areas of Metro's work with the potential to affect tribal interests. These priorities will be updated on [timeframe] and adaptively managed utilizing a responsive approach which adjusts as relationships with Tribes develop and their input and priorities are shared with Metro.

## **OPERATIONAL:**

**Positive contact and relationship building efforts:** Metro engages and consults with Tribes through government-to-government, elected-to-elected, and staff-to-staff relations which foster trust and aid in co-development of relationships, goals and objectives that can be formalized in intergovernmental agreements such as memorandums of understanding.

**Annual training calendar:** Develop an annual training calendar and curated learning opportunities for Metro Council, leadership and staff to advance their understanding of the tribal relations and priorities, regional history and context, Federal and state Indian policy, and topical issues in Indian Country. Learning opportunities and trainings will be developed with input from Tribes and tribal organizations and equip Metro with the necessary knowledge, skills and abilities to support tribal coordination activities.

**Department-specific Tribal Affairs planning** - Support Metro departments in preparation, planning and development of annual work plans and strategies which describe how tribal coordination efforts and the Metro Council Tribal Affairs Principles will be integrated into department activities, projects and

management strategies. Annual work plans will include program of work development for tribal coordination meetings, identify staff with tribal coordination responsibilities, and identify milestones and structural processes which can be measured to assess progress towards successful tribal relations and outcomes annually.

**Government Affairs Tribal Affairs strategy development** – The Government Affairs and Policy Development department shall develop and propose a five year strategic plan to advance necessary operational, policy, project-specific and legislative priorities in support of a robust Tribal Affairs program.

### **POLICY DEVELOPMENT:**

**Cultural Resources Protection Policy** - Support development of a Metro-wide Cultural Resources Protection Policy to ensure protection and preservation of cultural resources in Metro projects and on Metro publicly-owned and operated properties and facilities in the greater Portland area.

**Tribal Consultation Framework** - Support development of a Metro-wide Tribal consultation framework that provides guidance to Metro staff on how to initiate and lead informal consultation and engagement with Tribes in Metro's work. Where appropriate, this work should identify linkages and make recommendations for distinctions and necessary updates to the [Strategic Plan to Advance Racial Equity](#) and the [Public Engagement Guide](#).

All of Metro's Tribal Affairs policy development efforts will be done in coordination with Tribes, tribal staff and their representatives.

### **PROJECT WORK:**

**Willamette Falls Legacy Project** – Provide tribal relations support Metro Council, leadership and staff to: develop of a new project governance agreement which includes Metro, Oregon City, Clackamas County, the State of Oregon, and all Tribes engaged in the project and their designated representatives including the Willamette Falls Trust; support best use of Metro bond funding; realize the project's four core values; and develop relationships with all involved parties.

**Willamette Cove** - Support the Special Projects and Parks and Nature project teams in planning and engaging Tribes in the remediation and future potential park development phases of the project regarding habitat restoration and conservation priorities and passive recreation opportunities at the site.

**2019 Parks and Nature Bond** - Support Parks and Nature staff refinement and implementation planning efforts to guide engagement efforts with Tribes. Longer term, support Parks and Nature staff efforts for programmatic and project-specific engagement on Bond program areas and projects of mutual interest to Tribes such as land acquisitions and habitat restoration activities.

**Levy Renewal** - Support Parks and Nature staff planning efforts for a levy renewal including strategic engagement with partners to identify levy priorities and objectives including Tribes. Longer term, support Parks and Nature staff efforts for programmatic and project-specific engagement on levy-funded projects of mutual interest to Tribes.

### **LEGISLATIVE:**

Metro's legislative and tribal affairs staff will work together to create a recommended slate of priorities for Metro Council to discuss and possibly add to their agenda. Priorities include supporting legislation with:

- Nexus with Metro's current work;
- Priorities advanced by Tribes, tribal leadership and Indigenous legislators;
- Priorities that advance government-to-government relations and strengthen requirements for tribal consultation;
- Priorities that promote substantive inclusion of Tribes and Indigenous people in decision making;
- Wide-spread tribal and community support with particular emphasis on the Tribes in our region;
- Priorities that acknowledge past and ongoing discrimination and/or oppression of Tribes and Indigenous communities and populations;
- Priorities that work to dismantle ongoing system of oppression and/or work to rectify past harms.

Metro advances its legislative priorities through a variety of methods including signing onto letters, written and or oral testimony, and lobbying legislators. When advancing tribal affairs legislative priorities, Metro's role will be as an ally, striving to respect the requests of Tribes and tribal organizations on the appropriate method to indicate Metro's support. Metro will not supplant any Tribe or tribal organization's efforts on legislative priorities.



600 NE Grand Ave.  
Portland, OR 97232-2736  
[oregonmetro.gov](http://oregonmetro.gov)



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Portland, OR 97232-2736  
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## **METRO COUNCIL 117<sup>th</sup> CONGRESS FEDERAL LEGISLATIVE AGENDA**

The Metro Council 2021-2022 Federal Legislative Agenda lays out the principles, priorities, and issues for Metro to track at the regulatory and legislative level for the 117<sup>th</sup> Congress. This Congress represents a unique time for our federal government and for Metro: there are significant needs to ensure that we emerge from the COVID-19 public health pandemic economically stronger, more equitable, more sustainable, and more resilient and ready to tackle the climate change, inequality, and racial justice crises. To do so will require coordinated, focused policies and sustained investment at all levels of government. This document captures the key needs and goals of the greater Portland area as we embark upon the recovery our region needs.

## **METRO COUNCIL 117<sup>th</sup> CONGRESS FEDERAL LEGISLATIVE PRINCIPLES**

The Metro Council 2021-2022 Federal Legislative Principles are the key values that guide Metro's engagement on any issue and apply to all our policy and funding priorities.

### **ADVANCE RACIAL EQUITY**

Metro envisions a region and state where a person's race, place of birth, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Metro therefore supports policies that acknowledge past discrimination, eliminate current disparities and promote inclusion and accessibility in public programs, services, facilities and policies. Metro supports removing barriers to the full participation of Black, Indigenous, and immigrant communities as well as all communities of color in economic and social opportunities. Metro also recognizes the need for disaggregated data to help decision-makers better understand the needs and challenges faced by Black, Indigenous and People of Color, and efforts to center those lived experiences in decision-making.

### **SUPPORT GOVERNMENT TO GOVERNMENT TRIBAL RELATIONS**

Support Government-to-Government Tribal Relations: Metro acknowledges centuries of systemic harm to our tribal partners, including genocide, forced land removal, land and property theft, and the breaking of agreed-upon treaty rights. These actions were supported and often carried out by governments at the federal, state, regional, and local levels. Metro will track and advocate for strengthening requirements and incentives regarding government to government engagement and other initiatives that are intended to expand the role that tribal partners and indigenous peoples have in government decision-making.

#### **TACKLE CLIMATE CHANGE, RESTORE CLIMATE INTEGRITY**

Metro supports efforts, policies, and bold investments to combat and adapt to climate change and to reduce greenhouse gas emissions at the local, regional, state, national, and international levels. Metro seeks to advance policies, programs, and projects that incentivize or require greenhouse gas emissions reduction, advance planning efforts to reduce greenhouse gas emissions and support climate adaptation, and facilitate data collection to improve greenhouse gas and climate pollution monitoring. Metro also supports policies that use possible revenue from carbon reduction fees to support family wage jobs, job training, transportation investments that reduce greenhouse gas emissions, and climate pollution mitigation programs.

#### **FACILITATE REGIONAL COORDINATION AND GOVERNANCE**

Support Regional Planning and Coordination: Many of our country's challenges are big and complex. While cities and counties play a key role in enacting policy change and improving the lives of their constituents, many of the most pressing issues require coordination between cities, counties and other local forms of government. Metro supports policies that advance regional coordination on policy challenges that ignore boundaries and require cooperation and alignment among cities and counties.

#### **PROMOTE SUCCESSFUL COMMUNITIES**

Metro supports legislation that facilitates the achievement of the six desired outcomes for successful communities that have been agreed upon by the region: vibrant, walkable communities; economic competitiveness and prosperity; safe and reliable transportation choices; leadership in minimizing contributions to global warming; clean air, clean water and healthy ecosystems; and equitable distribution of the burdens and benefits of growth and change.

#### **PROTECT AND INCREASE FEDERAL FUNDING FOR OUR REGION**

To ensure a prosperous economy, a clean and healthy environment, and a high quality of life for all of our residents, Metro and our partners must have the sustainable financial resources to provide quality public services and advance the principles and goal

discussed above. This includes protecting existing federal funding, and supporting and seeking funding opportunities that align with Metro's Six Desired Outcomes and other regional priorities. After decades-long disinvestment at the federal level, if our country is to tackle the looming challenges of economic inequality, systemic racism, climate change, and recovering from the economic impacts of the COVID-19 pandemic, the federal government must be a partner.

## **METRO COUNCIL 117<sup>th</sup> CONGRESS FEDERAL LEGISLATIVE PRIORITIES**

Metro's Legislative Priorities reflect our key federal advocacy efforts. These represent the bulk of Metro's federal engagement for the 117th Congress, although other efforts may emerge in response to unforeseen opportunities.

### **Affordable Housing**

*Unified control of Congress for the first time in more than a decade is likely to lead to a more robust discussion about federal housing policy and ways that the federal government can be more supportive of local efforts to address chronic homelessness in the U.S. This will likely include the rollback of the Faircloth Amendment (which forbids the construction of public housing projects), increased interest in the intersection of transit and housing through legislation like the More Housing Near Transit Act, and efforts at improving the Affordable Housing Tax Credit. In addition, the Biden Administration will likely look for ways to expand use of existing programs, such as the Low-Income Housing Tax Credit, and will roll back Trump Administration policies and guidance that limited or restricted eligibility for federal housing assistance.*

- **Housing Affordability:** Metro supports policies that advance housing affordability, increase investments in regulated affordable housing programs to meet the national identified need, and provide diverse housing choices. This includes eviction moratoriums during times of national crisis, rental support and housing vouchers, and increased funding for services to help people stay in their homes. In order to reduce the barriers to home ownership, Metro also supports efforts to strengthen regulation of home mortgages and predatory lending practices. Metro believes all of these policies should also help dismantle racist housing policies and help people of color find safe, stable, and affordable housing. As part of that effort, Metro supports efforts to enforce and strengthen the Affirmatively Furthering Fair Housing rule.
- **Regional Housing Principles for National Housing Solutions:** The National Housing Solutions for Greater Portland policy proposals highlight the need to increase the supply of affordable housing coupled with accessible and high-quality wrap around services to ensure that everyone can find a place to call home. These principles were created in partnership with our region's Housing Authorities and Continuum of Care providers to identify shared housing values amongst regional partners and will help guide Metro's engagement with housing policy at the federal level.



## Economic Rebuilding

*The Biden Administration's Build Back Better agenda includes a strong focus on workforce training and development, and using federal funds to help workers, as well as small businesses, regain stronger footing. Congress is expected to consider progressive legislation including possible paid family leave, a higher federal minimum wage, and worker training programs.*

- **Regional Economic Recovery Plan:** The bi-state Regional Economic Recovery Strategy identifies key investments and tactics the region is pursuing in order to emerge from the COVID-19 pandemic economically more robust, more resilient, and more equitable. The Strategy identifies key strategies and focuses on the need to help small businesses recover and grow, advance economic mobility through workforce training opportunities for individuals, and support families and children through better childcare and workforce policies, with an urgent focus on building opportunities and long-term wealth creation for Black, Indigenous, and People of Color (BIPOC).
- **Workforce:** Ensuring that the benefits of a growing and green economy are equitably distributed means ensuring that our workforce and workforce training programs are focused on ensuring women and BIPOC communities can fully participate and succeed. As Metro advances the Construction Career Pathways program in the greater Portland area, we encourage the federal government to support investments in regional training programs and changes in local hiring regulations to make it easier for local agencies and hiring partners to use public investment to ensure that people of color can find employment and advance their careers.
- **Metro Venues:** Due to the economic impacts of the COVID-19 pandemic, Metro may need ongoing support for our visitor-dependent entities, such as the Portland's Centers for the Arts, the Oregon Zoo, and the Convention Center. These venues are regional assets that contribute millions of dollars to the state and local economies, and are key to regional economic recovery. As necessary, we support federal aid to facilities that provide for public access to arts, education, and culture and boost tourism, in order to help these facilities survive the COVID 19 pandemic.

## Safe and Reliable Transportation

*Metro Council and JPACT have worked together to develop a robust federal agenda to help the region build and operate the transportation projects necessary to reach our Climate Smart goals, our resiliency projects, our maintenance projects, our Vision Zero goals, and ongoing congestion in the greater Portland region.*

- **Innovative and Stable Transportation Funding:** In order for our transportation system to tackle our region's biggest challenges, including slowing climate change, increasing traffic safety, advancing racial equity, and supporting everyone's ability to move around our region safely, affordably, and easily, the region needs a robust and multimodal transportation funding approach. Metro supports an increase in overall

transportation funding, investments in a safe, electric, and balanced multimodal transportation system that addresses the needs of all users, and flexibility in the system to provide for local solutions to transportation problems. Given the significant underinvestment in transit at the federal and state levels as compared to what is needed to implement the Climate Smart Strategy, Metro particularly supports increased investment in transit capital and operations.

Given the need for long-term, stable transportation funding sources, Metro supports innovative approaches, including congestion pricing, that better connect system performance, outcomes such as reduced climate pollution or improved access for people of color, and road usage with transportation funding mechanisms. There should be funding and policy changes to support exploring these innovative revenue mechanisms at the federal, state, and regional level, and ensuring that revenue from these innovations supports a cleaner, more equitable transportation system.

In addition, the region has spent two years identifying key transportation needs through the Let's Get Moving process; funding for the projects and programs in that proposal is a key interest for Metro. Metro supports policies that make it easier to seek funding for these projects, particularly the corridor-long transit projects, and in general supports efforts to make more transportation funds available at the regional level in order to advance regional goals around reducing greenhouse gas emissions and building a safe, equitable, affordable transportation system.

- **Joint Policy Advisory Committee on Transportation (JPACT) Federal Legislative Agenda:** This agenda has included policies to support Vision Zero at the federal level, increase transit funding and funding for Safe Routes to Schools, provide set-aside funds for orphan highways, and provide funding for specific regional projects. Metro supports these policies as approved by JPACT and the Metro Council.
- **Coordinated Transportation Planning:** Metro supports policies and funding that highlight the importance of equitable, comprehensive, regional transportation planning; connect transportation, housing, and economic development; and that increase accountability for planning and funding decisions through stronger performance metrics at the federal level.
- **Trails and Outdoor Recreation Funding:** As both a parks operator and a regional planning agency, Metro supports increasing federal funding to plan, design, and build non-motorized trails and trail systems for recreation and transportation purposes.

### **Clean Air, Clean Water, and Healthy Ecosystems**

*The Biden Administration has been very clear that fighting climate change is a key priority, and this includes efforts to protect clean air and clean water from climate pollution and other toxics. This is likely to begin with a focus on undoing many of the Trump-era environmental rollbacks, but will also include additional efforts to strengthen the Clean Water and Clean Air Acts, incorporate an environmental justice lens onto federal decision processes, and better account for the cost of externalities, such as climate pollution, in federal rulemaking. The Department of Interior is also expected to*

*act as a strong steward, with a focus on supporting access to and preserving the long-term health of our public lands.*

- **Clean Air, Clean Water, and Wildlife Habitat:** Our region has invested heavily in protecting water quality and wildlife habitat and providing residents with access to nature and outdoor activity. Parks and natural areas are regional assets that support public health, environmental quality, strong property values and economic prosperity. Metro supports regulatory action and funding efforts that increase access to open spaces, reduce air, water, and climate pollution, and protect vulnerable habitat.
- **Safe, Healthy, Sustainable Products and Product Disposal:** Metro supports legislative efforts to ensure that whoever designs, produces, sells or uses a product bears responsibility for minimizing the product's environmental impact throughout all stages of the product's life cycle, particularly when the product involves the use or disposal of toxic substances. Under this market-based approach, the life-cycle costs of a product are internalized into its price rather than being forced onto the general public. Metro supports efforts to minimize the health, safety, environmental, economic and social impacts associated with consumer products and packaging throughout all stages of a product's life cycle, beginning with resource extraction and continuing through design, manufacturing, consumption, recycling, and disposal.
- **Open Space Preservation and Access:** The COVID 19 pandemic and the increased vulnerability to natural hazards due to climate change have both demonstrated the need for open space to facilitate safe, accessible outdoor recreation and protect natural systems that increase community and ecosystem resiliency and recovery. Metro supports efforts to increase funding for state, regional, and local entities to protect and preserve open space.
- **Willamette Falls:** As a key partner in the Willamette Falls Legacy project, Metro has successfully negotiated continued public access and development of a riverwalk in partnership with the new property owner; the Confederated Tribes of Grand Ronde. The restoration and redevelopment of the abandoned mill site will require significant time and funding. Metro is planning to work collaboratively to pursue federal funding opportunities for shovel ready projects, such as Phase 2 of the Riverwalk, cleanup of environmental contaminants on-site, restoration of key habitat, protection of economic development opportunities, public access, and co-development of facilities that can be used by Tribal members and the public. Metro also supports funding efforts to resolve long term issues with the Willamette Falls Locks, which are under the jurisdiction of the Army Corps of Engineers.

#### **METRO COUNCIL 117<sup>th</sup> CONGRESS FEDERAL LEGISLATIVE ISSUES TO TRACK**

Metro's Federal Legislative Issues to Track are policies that the agency supports, but either are not top priorities or are not expected to have a lot of opportunity for Metro to engage in during the 117th Congress.

- **Disaster Preparedness:** Metro supports policy and funding efforts to improve community disaster preparedness and resilience, with the goal of enabling the Portland region to provide for the immediate needs of its residents and businesses after a catastrophic event and facilitating the region's short- and long-term recovery. This includes investment in transportation and waste removal infrastructure, long-term planning efforts, and policies to support other immediate and long-term recovery needs, such as those identified in the regional Emergency Transportation Resiliency Plan.
- **Waste Prevention Innovation and Authority:** Metro supports efforts to align federal policy with best practices in waste prevention and recycling, but any efforts to create standard guidance, whether administrative or legislative, must support the role of states and localities to innovate and go beyond what is federally required.
- **Species Conservation:** Metro supports efforts to protect and restore wildlife habitat, to recover threatened and endangered species, and to create a better future for wildlife, both in Oregon and globally.
- **Conservation Education:** Metro supports efforts to provide stable and reliable funding for conservation education.
- **Tools to Advance Better Land Use Planning:** The federal government has limited tools to engage in land use planning, but Metro supports efforts to advance sustainable, equitable land use planning at the national level.
- **Brownfields:** As a regional partner in brownfield cleanup, Metro supports legislative efforts and funding efforts to expand brownfield cleanup efforts, particularly in urban areas, and in areas where the pollution impacts disproportionately hurt communities of color.
- **Clean Up of Portland Harbor:** Metro will monitor developments regarding the Portland Harbor and its Superfund status, as well as policy changes in the Water Resources Development Act that may have implications for efforts to clean up and revitalize properties in the Portland Harbor.
- **Recycling and International Agreements:** As international agreements, trade negotiations, and other international concerns impact our region's waste and recycling operations, Metro engages in these conversations when necessary and productive.
- **Diesel Emission Reductions:** Metro supports continued efforts to reduce reliance on diesel fuel, particularly for garbage and recycling collection vehicles, construction vehicles, or public transit vehicles that travel disproportionately in communities of color.
- **Firearms and Public Facilities:** Metro supports legislation that increases Metro's authority to regulate the carrying of firearms on Metro properties and public venues, and opposes legislation that limits or reduces that authority.
- **Human Resources, Agency Operations:** Metro tracks and may weigh in on federal policy and regulatory changes that impact employees, worker pay, work place environment, and other agency operations. Metro supports policies that advance paid family leave, living wage jobs (including a \$15/hour federal minimum wage), paid sick leave, and programs that support equitable hiring, training, and compensation practices.

**Reimagine Oregon: Reimagining Policing, Security  
and the Use of Incarcerated Labor Project**  
*Work Session Topic*

Metro Council Work Session  
Tuesday, October 26, 2021

## REIMAGINING POLICING, SECURITY, AND INCARCERATED LABOR PROJECT

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Date: October 7, 2021  
Department: Office of the COO  
Meeting Date: October 26, 2021  
Presenter:  
Marissa Madrigal, COO  
Punneh Abdolhosseini, WPES

Length: 45 Minutes  
Prepared by:  
Punneh Abdolhosseini, WPES  
Loni Black, Communications  
Reed Brodersen, DEI

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### ISSUE STATEMENT

This project is informed by the calls for advancing racial justice by Reimagine Oregon and other Black community leaders during this time of increased social awareness of the violence towards, and killings of Black and Brown people across the United States at the hands of police. Due to this increased social awareness, Portland's Black community, among others, are demanding a reimagining of how our society chooses to conduct public safety and approach justice. Metro is committed to our own reimagining process in line with these demands – rethinking our relationships with the carceral system and approaches to policing, security and incarcerated labor to ensure our practices live Metro's commitments to racial equity, minimize harm and advance a more just and prosperous greater Portland.

The Reimagining Policing, Security and Incarcerated Labor Project has worked over the last year to design and implement a process for this reimagining. The project team and dozens of Metro staff and leaders have engaged in shared learning and an assessment of Metro's many touch points with the criminal justice system and security.

### ACTION REQUESTED

The following outcomes are intended for the presentation and discussion during the October 26 Council work session:

- Inform on process: Bring Metro Council up to speed on the Project's process and solicit input on the Project's next steps and Council engagement plan.
- Inform on Project Values: Deliver Project Values (Attachment A) and provide clarity as needed.
- Present assessment results: Deliver the Internal Assessment to Metro Council (Attachment B) and highlight key themes and touch points that speak to the current relationships Metro has with the criminal justice system and the roles we play in advancing community safety.

### POLICY QUESTIONS

The following questions are central to the October 26<sup>th</sup> work session and will help inform the project's continued development and implementation:

- Do Councilors have any clarifying questions about the Project Values?

- Are there areas of the Internal Assessment that Council would like to have more information about?
- How is Metro Council thinking about Metro's role in creating safe and welcoming spaces and communities?

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

### **Advancing racial justice and belonging at Metro and across the region**

This project intends to advance racial equity outcomes by practicing the project values:

- Deploying *collective care* to support BIPOC, LGBTQ+ and disabled staff and community members in experiencing physical, emotional and spiritual wellness and humanity.
- Advancing *liberation* so that people have more agency, self-determination and opportunity in their lives.
- Practicing *restoration* to reduce harm, dismantle harmful systems and support repair and healing for individuals and communities.
- Demonstrating *accountability* to past and future generations and to Black and queer communities living today.
- Promoting *prosperity* by investing in safe and welcoming spaces, as well as stable, connected and flourishing communities.
- Practicing *leadership* by leveraging Metro's role as convener, funder, partner, policy creator and regulator to advance justice across the region.

### **Alignment with past direction and current commitments**

This project is aligned with a variety of Council-adopted plans, commitments and community feedback including:

#### Strategic Plan to Advance Racial Equity

Metro Council adopted the Strategic Plan to Advance Equity (SPAREDI) in 2016, which calls Metro into this space through the following goals:

- Goal B: Meaningfully engage communities of color. This means listening to and centering the voices of all marginalized communities and prioritizing their needs in our actions.
- Goal C: Metro hires, trains and promotes a racially diverse workforce. This means creating work places that feel welcoming and safe to Black and Indigenous staff and other staff of color.
- Goal D: Metro creates safe and welcoming services, programs and destinations. This means ensuring that Black, brown, queer, trans, femme, disabled and undocumented visitors and program participants feel safe and welcome and are free from harassment and discrimination.

#### Reimagine Oregon

A group of Black leaders and community organizations came together in the summer of 2020 to work with elected officials across the State of Oregon to begin dismantling systemic racism in Oregon. Their demands span many topic areas

within Metro's spheres of influence, including housing and homeless services, transportation and economic development, recognizing that police violence is rooted in a web of oppressive systems, under-investment and inequitable access to resources, opportunity and stability. Metro Council has been directly engaged with these conversations and has committed to delivering on a variety of investment and policy demands.

#### Committee on Racial Equity

On June 18, 2020 Metro's Committee on Racial Equity (CORE) drafted and collectively signed a letter to Metro Council (Attachment C) calling on Council to advance safety and prosperity for the region's Black community by advancing the policy agendas set forth by Portland African American Leadership Forum (PAALF) and Unite Oregon. These agendas called for divestment in harmful systems, reinvestments in Black lives, and protection for BIPOC communities from violence.

#### Black Caucus & People of Color Employee Resource Group

In September 2021 the People of Color & Black Caucus employee resource groups (ERG) submitted a letter to Marissa Madrigal, COO titled "Demands to address systemic racism and white supremacy at Metro". These demands were based on a compilation of survey responses that the ERG received during the summer of 2021. These demands included many recommendations for making Black staff and staff of color safer and more welcome at Metro, reducing barriers for employment, and reducing Metro's interactions with and funding of law enforcement and the prison system.

## **BACKGROUND**

### **Project Conception**

Metro COO Marissa Madrigal chartered the Reimagining Policing, Security and Incarcerated Labor project in the summer of 2020 after the murder of George Floyd, subsequent calls for racial justice in greater Portland and across the nation, and demands from Metro partners like Reimagine Oregon, Metro's Committee on Racial Equity, and Black, Indigenous and staff of color.

### **Project Design**

The project is led by an agency-wide committee and supported by four department action teams, from Waste Prevention and Environmental Services, Parks and Nature, Planning and Development, and the Visitor Venues and Metro Regional Center Operations. The internal-facing project works to center the voices of impacted staff and community members through research and engagement.

### **Project Phases**

- **Shared Learning through Reimagining Policing, Security and Incarcerated Labor Learning Cohort** *(Completed)*

The learning cohort created space for participants to gain a deeper understanding of how the law enforcement and carceral systems connect with their work. More



than 40 Metro staff participated in a four part training series and continue to engage in monthly learning sessions.

- **Internal assessment of touch points** *(Completed)*  
The internal assessment inventoried Metro's touch points with Police, Security and Incarcerated Labor within the Parks and Nature, Waste Prevention and Environmental Services, Venues and Planning and Development departments. This provides necessary context that will guide the development of the department and agency action plans.
- **Decision Making Framework working group** *(In Progress)*  
The Decision Making Framework working group, made up of staff with personal and/or professional experiences relevant to this work, is drafting the vision and direction for the project as Metro Council and leadership makes decisions to address our touch points with police, security and incarcerated labor to bring our work more closely aligned with our values.
- **Department action plans** *(Not Started)*  
With direction from the Decision Making Framework working group, Policing Committee members will develop department specific action plans that address their departments touch points and goals to address those touch points that align with agency goals.
- **Coordinate a process for project transition to implementation** *(Not Started)*  
The project team is committed to a smooth transition as the work moves to the implementation phase of the actions plans. We will work to secure possible funding sources needed to implement this work.

## ATTACHMENTS

- Attachment A: Project Values for the Reimagining Policing, Security and Incarceration Project
  - Attachment B: Internal Assessment Report for Metro's Use of Policing, Security and Incarcerated Labor
  - Attachment C: June 18, 2020 letter from Committee on Racial Equity to Metro Council
  - Attachment D: Project Design and Background
- 
- Is legislation required for Council action? ☐ Yes ☒ No
  - If yes, is draft legislation attached? ☐ Yes ☐ No



October 2021

# Project Values

## Reimagining Policing, Security, and Incarcerated Labor Project

These values serve as a basis for the project's goals and actions and will shape implementation. They were developed by the Decision-making Working Group in conjunction with the Reimagining Policing and Security Committee, and informed by Metro's Strategic Plan to Advance Racial Equity and community documents like [PAALF's People Plan](#).

### **COLLECTIVE CARE**

We center the physical and emotional integrity and humanity of each individual. We commit to practicing and demanding respectful interactions because we understand that for BIPOC and LGBTQ+ communities especially, merely existing in society can be dangerous. We recognize that in order to center the humanity of every individual, we must participate in and work towards collective care both for Metro staff and for members of our communities. This requires honoring, supporting, and actualizing the social justice work that happens outside of our agency, amplifying their voices and experiences, and acting on our commitments to advance equity.

### **LIBERATION**

A core purpose of our work is to make it possible for people to have more agency and efficacy in their lives. Public policy should support people in making their lives better and in increasing, rather than decreasing, that possibility. Shared liberation is not possible without centering each individual's agency and ability to make choices for themselves without the burdens and barriers of systemic oppression.

### **RESTORATION**

We recognize that the systems (e.g. white supremacy, policing, colonialism, patriarchy) that harm our communities are not broken, but are working exactly as they were intended to. We see this work as replacing systems that were designed to harm, with policies and practices that center humanity and restore relationships with people. We want to focus on creating something new, repairing lives and sharing tactics around nonviolence. We commit to being part of a solution and acknowledge that active dismantling of oppressive systems must happen to reach a solution.

### **ACCOUNTABILITY**

We are building toward a structure of trust, transparency, and accountability to the Black and brown communities we serve as well as to future generations. We commit to centering and sharing power with, Black, brown, queer, trans, disabled and undocumented greater Portlanders, and leading with the moral courage they ask of us. We will foster an authentic relationship with these communities that will build trust.

### **PROSPERITY**

We work towards a safe and welcoming community for all, where safety is not predicated on fear and violence. We support BIPOC, LGBTQ+, disabled and undocumented people in belonging and accessing the resources they need to succeed, while experiencing stability and opportunity in their communities.

### **LEADERSHIP**

We honor our ancestors and recognize that they set the foundation for us to engage in the work ahead. We listen to the calls of present generations who have asked for brave and collaborative leadership, and we center and work towards efforts to improve the conditions of future generations. We will lean into our roles as convener, researcher, funder, place-maker, and regulator as we support our government and community partners in advancing liberation across the region.



# Internal Assessment Report

*Reimagining Policing, Security and  
Incarcerated Labor Project*

October 2021

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

**So, hello. We’re Metro – nice to meet you.**

In a metropolitan area as big as Portland, we can do a lot of things better together. Join us to help the region prepare for a happy, healthy future.

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Bob Stacey, District 6

**Auditor**

Brian Evans

600 NE Grand Ave.

Portland, OR 97232-2736

503-797-1700

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## INTRODUCTION

### Project Overview

This project is informed by the calls for advancing racial justice by Reimagine Oregon and other Black community leaders during this time of increased social awareness of the violence towards, and killings of Black and Brown people across the United States at the hands of police. Due to this increased social awareness, Portland's Black community, among others, are demanding a reimagining of how our society chooses to conduct public safety and approach justice. Metro is committed to our own reimagining process in line with these demands – rethinking our relationships with the carceral system and approaches to policing, security and incarcerated labor to ensure our practices live Metro's commitments to racial equity, minimize harm and advance a more just and prosperous greater Portland.

### Assessment Purpose

The internal assessment report inventories Metro's touch points with Police, Security and Incarcerated Labor and potential levers for creating community safety. The assessment looks in depth at the following departments and venues: Parks and Nature, Waste Prevention and Environmental Services, Venues and Metro Regional Center Operations, and Planning and Development.

The goals of the internal assessment include:

- Daylight touch points with the systems of policing, security and incarceration;
- Identify Metro's current and potential levers for creating safety at our locations and in our communities;
- Document known or potential impacts of current touch points and approaches;
- Investigate why current touch points and approaches exist and document barriers to change.

This report does not provide analysis on, or recommendations about next steps. However, this report will provide context that will guide the development of the department and agency action plans that will help Metro bring our practices into closer alignment with our values.

### Assessment process

The Internal Assessment was conducted through surveying Metro staff using the following questions:

How does your department or work team...

- Approach safety and security for people?
- Protect and secure property?
- Use the labor of incarcerated people?
- Apply levers for creating safety in communities?

Using these questions, Metro staff compiled information about plans, policies, procedures, approaches, norms, contracts, relationships, investments, and purchasing practices to create a detailed inventory of the current state of practices at Metro. This report synthesizes this information into key themes, important examples and discussion of known or potential impact. Detailed information about specific touch points may not always be included here.

The Internal Assessment was directed by the Reimagining Policing and Security Committee (an agency-wide Committee of staff leading the Project) and implemented by the Project Leadership Team and Department Leads, alongside dozens of Metro staff in Department teams or who assisted in information gathering. Assessment coordination and synthesis was conducted by:

Project Leadership:

- Punneh Abdolhosseini, Senior Community Stewardship Planner, WPES
- Loni Black, Associate Regional Planner, Parks and Nature Communications
- Reed Brodersen, Senior Program Analyst, DEI
- Alice Froehlich, Manager, Parks and Nature (Project Support)
- Brody Abbott, Senior Solid Waste Planner, WPES (former Metro staff member)

Department Leads:

- Matan Gold, Associate Regional Planner, Parks and Nature Communications (P&N Lead)
- Lake McTighe, Senior Transportation Planner, Planning and Development (P&D Lead)
- Nick Brown, Security Manager, Oregon Convention Center (Venues/MRC Lead)
- Rory Greenfield, MRC Campus Operations Manager (Venues/MRC Lead)
- Kayla Scheafer, Recycling Information Specialist, WPES (WPES Lead)

Reimagining Policing Committee members:

- Joel Morton, Legal Counsel, Office of Metro Attorney
- Holly Calhoun, Deputy Director, Human Resources
- Kate Fagerholm, Policy Advisor, Metro Council (former Metro staff member)

## How to read

The subsequent report includes five chapters – an agency-wide synthesis (reviewing key themes and potential areas for agency-wide coordination) and four department-specific reports. Each chapter includes three to five themes organized in the following structure:

**Theme:** A high-level area of interest that captures a set of touch points or key lever.

Examples: Discrete examples (e.g. touch point, policy, lever, contract, etc.) that illustrate the theme, prioritizing examples of high impact and to demonstrate diversity across a particular theme.

Impacts: Statements describing known or potential impact to staff, visitors or community members, centering on the experiences of and impact to Black, Indigenous and people of color. These may be data or stories collected from stakeholders or findings elevated from research or community documents.



## AGENCY-WIDE SYNTHESIS

An analysis of each of four department assessments was conducted to identify opportunities for agency-wide coordination. The demands made by the Black and People of Color Employee Resource Groups were also included in the analysis. Department assessments were completed by MRC/Venues, Planning and Development, Parks and Nature and WPES. The analysis resulted in four themes, each accompanied by examples and potential opportunities for agency-wide coordination:

- Security and Rule Enforcement
- People in Crisis and Emergency Management
- Incarcerated Labor
- Grants, Funding and Resources

### Security and Rule Enforcement

How Metro addresses security practices and enforcement of rules was identified as a key touch point by all four department assessments and the Black ERG. This theme addresses Metro staff, contracted security, as well as contracts with law enforcement. Touch points focused on trainings, policies, and expectations around how to conduct regular security and rule enforcement at our events, parks, venues and other sites. Touch points also included expectations for contracted security firms, and IGAs.

#### Examples:

- Verbal Judo: Rangers are trained in verbal judo as a de-escalation technique. According to former FBI special agent Joe Cicini verbal judo “or tactical communication is a way of diffusing conflict through conversation”. Verbal Judo was written by George Thompson a former police officer. While Thompson claims Verbal Judo is relevant for anyone, it was created with police, the armed forces, private security, and intelligence agencies in mind.
- Security personnel stationed at front doors and major entrances at visitor venues, wearing standard uniforms
- Deploy ‘use of premises’ executive order to exclude/expel guests as last resort
- Regulated use of security equipment (e.g. pepper spray and batons) and restrictions on carry and use of firearms for staff and visitors
- Parks and Nature has a contract with the city of Fairview for policing at Blue Lake Park and Chinook Boat Launch, a contract with the city of Wilsonville for patrolling specifically the Graham Oaks parking lot, a contract with Multnomah county for policing at Gleason Boat Ramp and a contract with the city of Portland for policing at a number of sites within the jurisdiction.
- Under Title X it states “No person shall, within the boundaries of any park: (a) Camp overnight or longer without first obtaining a camping permit. (b) Camp longer than five (5) consecutive days in any specific park. (c) Camp for more than 10 days in any 30-day period in any specific park. (d) Camp at any time or in any place except as specifically provided for in a camping permit. (e) Camp if he/she is under the age of 18, unless he/she is accompanied by an adult. (f) Camp in nondesignated areas.”

- Parks and Nature contracts with Phoenix private security to monitor Willamette Cove and enforce rules around site closure.
- Security or Police at engagement events – There is currently no existing procedures related to asking prospective venues and community spaces about their security practices. P&D events at Metro facilities may have Metro security present.
- Security staff at all sites and venues are required to have state issued DPSST licenses, as required by state law.
- Prior security experience has been a main criteria when evaluating a candidate for hire across all sites and venues.
- Knowledge, skill and abilities of potential hires are focused around traditional means of performing security functions.
- Security personnel wear recognizable security uniforms, usually similar to law enforcement.
- Security may wear badges and have the option to carry pepper spray.
- RID patrol contracts with Multnomah County sheriff officers to support day-to-day activities of the team.

#### Opportunities for agency-wide coordination:

- Standardize policies and procedures for in-house security personnel and update job descriptions/recruitments to add knowledge, skills and abilities to support more holistic and trauma-informed safety management.
- Develop clear and consistent criteria for when and how law enforcement personnel and agencies are brought on-site, put under contract or used to support rule enforcement.
- Develop standard criteria and minimum qualifications for contracted security personnel and agencies to ensure consistency and a high level of service consistent with Metro values.
- Review policies and practices related to expulsion to ensure consistent application across Metro and minimize bias and harm, both to staff and visitors.

### **People in Crisis and Emergency Management**

Across Metro properties Metro staff encounter individuals in crisis, have to manage emergencies, or have to deal with potentially dangerous situations. In many cases Metro staff do not have the tools to manage these situations themselves and frequently rely on law enforcement personnel to resolve them.

#### Examples:

- Large homeless camps exist near sites and venues.
- Metro properties experience vandalism and regular campers on them.
- Metro visitors and staff often call security when homeless or mentally unstable people are on site with the expectation they will be removed regardless of their behavior.
- Metro Security staff feel there is an expectation to remove homeless or mentally unstable people when they are on site regardless of their behavior.
- Security staff rouse and ask campers to leave.

- Police are called when security attempts fail to resolve a situation.
- When there is high profile vandalism or an emergency situation at Metro parks, local media will likely reach out to Metro for a statement relating to enforcement and security.
- Call 911 or non emergency for medical issues, reporting problematic behavior witnessed on or around premises or as situations require.
- Police are notified of criminal activity at Metro sites (e.g., trespass, DUII at Metro facilities, burglary, etc.) and vehicle accidents, hostile customers, accidents with injuries, and fires.
- MetroPaint has an alarm permit with the police bureau and a monitoring company. If the alarm is triggered after hours managers receive a phone call and discuss options with the alarm company. One option is to send police to check on the property.
- RID officers have attempted to deescalate dangerous situations when individuals are having a mental health crisis and threatening physical assault with weapons present
- In one case, a RID officer helped a severely injured Metro staff person quickly get from a remote area to the emergency room for medical treatment.

Opportunities for agency-wide coordination:

- Standardize procedures for interactions with houseless individuals and individuals experience mental health crises, including standards for when law enforcement is engaged, individuals are removed from site, etc.
- Build internal capacity for trauma-informed crisis management.

## **Incarcerated Labor**

Metro's use of incarcerated labor showed up as a touch point for Parks and Nature, the visitor venues, and WPES. It stood out as an agency-wide theme because this area would benefit from coordination and policy development from the Chief Operating Officer.

Examples:

- Use of Clackamas County corrections crews: Incarcerated laborers are used for cleaning at various Metro parks and sites. This can include cleaning up after camp sweeps.
- Oregon Correctional Enterprises: Incarcerated laborers manufacture a number of park furnishing. Metro is incentivized to make use of OCE through existing procurement policies and state law, which privileges OCE in public procurement processes.
- From 1993-2020, RID Patrol (Regional Illegal Dumping) relied primarily on incarcerated labor to provide cleanup services for garbage in public spaces and on Metro properties. The use of incarcerated labor was paused in 2020 as decided by Metro leadership.
- Metro Central and Metro South Transfer Stations have intergovernmental agreements (IGAs) with Multnomah and Clackamas Counties for youth offenders to collect litter and the wages go toward restitution for the victim of the crimes they are convicted of.

- Use of community service hours work groups at Parks and Natural areas.
- The Oregon Zoo has contracts with correctional facilities to provide clean up services.
- The Oregon Zoo has a conservation contract with Coffee Creek Women's prison to rear endangered butterflies.
- Purchasing/use of materials that benefit from the prison industrial complex: e.g. 3M, Microsoft, Amazon.

Opportunities for agency-wide coordination:

- Develop clear policies around the use of incarcerated labor and develop minimum standards for contracts to ensure alignment with Metro values.
- Develop procurement guidelines, policies and trainings that align procurement practices with Metro values.

### **Grants, Funding and Resources**

Metro allocates millions of dollars through our various grant programs and investments. In many cases these intend to support prosperity, stability and opportunity for people across the region. These programs often represent important levers to pro-actively create community stability and wellbeing that reduce violence, trauma and the need for police intervention. Through resource allocation Metro also supports law enforcement partners or sets expectations (or a lack thereof) around how safety is created or supported.

Examples:

- Housing program "Emerging best practices to operationalize racial equity in affordable housing" – provides a strong example of overall best practices and strategies that advance racial equity. Specific to reimagining policing and security, one best practice included is to "look beyond histories: Recognize that people of color are disproportionately impacted by the structural racism within the criminal justice system. Consider only recent or serious crimes that relate to the safety of the property and other tenants. Screen for criminal background only after applicant has met all other qualifications. Educate applicants on how to submit a reasonable accommodation request during the application process."
- SRTS Back to School Toolkit – The toolkit include guidance for partners (schools, families) on personal safety/security/dealing with harassment, with guidance to NOT call the police, unless the person being harassed says it is ok. The toolkit advises to "consider incorporating personal security concepts into safety lessons in addition to addressing traffic safety, as some students may be traveling without adult supervision and may face hate or discrimination while traveling." Includes guidance for partners (schools, families) on partnering with police: "At this time, we do not recommend partnering with police to ensure that all families feel welcome and safe."
- Community placemaking "What to expect if you are awarded a community placemaking grant" handbook – invites community members to reflect on "what safe spaces means to your community" as one way to measure success. The community placemaking program is an example of a community driven program, co-developed with community members.

- Creating Welcoming Spaces Checklist –Planning communications has developed a ‘living’ document with ways to create more welcoming, accessible and trauma-informed physical spaces. The checklist suggests avoiding places that have law enforcement present, and may be updated to include guidance on what to do in the event of a theft or disturbance, and when to call or not call the police.
- Metro hosts law enforcement trainings (K9, Bomb Squad) with PPB, TriMet, Port of Portland
- Metro supports outreach at community events like National Night Out, which is organized by local police departments.
- Metro is a paying member of Western States Project, a consortium of government agencies (including law enforcement) involved in regulatory, civil, and criminal enforcement of environmental laws.
- RID Patrol’s Metro bag program works with outreach workers, social services, CBOs, local jurisdictions and law enforcement agencies to provide access to garbage services. The bags are not used to move people or to conduct a cleanup. The bag program’s purpose is to be used by houseless community members to access trash services and the ability to clean up their living space.

Opportunities for agency-wide coordination:

- Create guidelines and/or policies that inform partnerships with (or grants to) law enforcement agencies.
- Conduct comprehensive review of Metro grant programs to identify opportunities to prioritize racial equity and invest in community prosperity, stability and opportunity.
- Ensure Metro’s employment, programs and services are accessible to (or even prioritize) people who have experienced incarceration.

## VISITOR VENUES AND METRO REGIONAL CENTER

The Oregon Zoo, Oregon Convention Center, Portland 5, Expo Center and Metro Regional Center Operations conducted a thorough scan of their policies, practices and capacities. This analysis underscored many areas of similarity and some differences. Their touch points have been synthesized into the following themes:

- Houseless/mental health crisis management
- Security Personnel
- Security policies and approaches
- External Coordination
- Law Enforcement Relationships

### Houseless / Mental Health Crisis Management

Metro's Visitor Venues, the Oregon Zoo and the Metro Regional Center all experience regular incidents involving those experiencing homelessness or having mental health issues on their properties. Security Staff are asked to engage with these individuals with the intent of ensuring Metro business is not disturbed, keep staff and visitors safe and mitigate any damage to property.

#### Examples:

- **Homelessness:** Large homeless camps exist near sites and venues.
- **Vandalism:** Metro properties experience vandalism and regular campers on them.
- **Requests for removal:** Metro visitors and staff call security when homeless or mentally unstable people are on site with the expectation they will be removed regardless of their behavior.
- **Expectations of removal:** Metro Security staff feel there is an expectation to remove homeless or mentally unstable people when they are on site regardless of their behavior.
- **Expulsions:** Security staff rouse and ask campers to leave.
- **Use of Police:** Police are called when security attempts fail to resolve a situation.

#### Impact:

- Traditional values around how security should approach these situations and the current qualifications of security personnel can produce police-like responses to these types of site issues.
- Individuals are characterized as "doing something wrong" and Security personnel feel compelled to move them off site.
- These things perpetuates societal assumptions that homelessness/poverty or mental illness are criminal.

### Security Personnel

Metro's Visitor Venues, the Oregon Zoo and the Metro Regional Center all employ Security staff. Along with some administrative functions, Security staff are expected to patrol

grounds, ensure Metro business is not disturbed, intervene in situations to keep staff and visitors safe and take steps to mitigate any damage to property.

Examples:

- **Licensing:** Security staff are required by state law to have state issued DPSST licenses.
- **Hiring:** Prior security experience has been a main criteria when evaluating a candidate for hire and the knowledge, skill and abilities of potential hires are focused around traditional means of performing security functions.
- **Uniforms:** Security personnel wear recognizable security uniforms, usually similar to law enforcement. Security may wear badges and have the option to carry pepper spray.
- **Monitoring and surveillance:** All have a primary responsibility to monitor premises and individuals on that premise.
- **Assistance:** In some cases Security staff will assist a houseless person by providing food or information on resources available to them.

Impact:

- Due to traditional expectations of security supervisors, employees and visitors, security is asked and expected to perform in a certain way.
- Unless steps are taken to help all cast aside assumptions about what “is a problem” and create new standards for what and when issues are addressed, the same responses will continue.

## **Security policies and approaches**

Metro’s Visitor Venues, the Oregon Zoo and the Metro Regional Center approach security using a variety of policies and practices that work to protect both people and property. Policies set expectations for behavior of staff and visitors, regulate the authority of security personnel to engage with ‘unwelcomed’ visitors, and provide direction for the use of force and equipment during disturbances, and much more.

Examples:

- **Badge and visitor requirements:** Employee badge requirements and enforcement and visitor check in
- **Security presence:** Security personnel stationed at front doors and major entrances, wearing standard uniforms
- **Exclusions:** Deploy ‘use of premises’ executive order to exclude/expel guests as last resort
- **Calls to police:** Standard approaches within each venue for when law enforcement are contacted
- **Equipment:** Regulated use of security equipment (e.g. pepper spray and batons) and restrictions on carry and use of firearms for staff and visitors

Impact:

- While the practices and policies currently in place support a safe environment for some, the Committee has heard from many Black and brown staff that certain

policies and practices have led to harassment and/or have created an unwelcoming or unsafe environment.

- Our current approach leads to fairly frequent engagement with law enforcement officers, who are called in cases of criminal activity.
- The Committee has heard from some security staff that they do not feel like they have all of the tools and training they need to keep people safe while reducing harm to marginalized communities (e.g. BIPOC, houseless individuals and people experiencing mental illness).

## **External Coordination**

Many of our Metro sites and venues coordinate with other agencies, groups, businesses or organizations to discuss public safety and site security issues and current practices for managing them. Participants in these groups are usually mixes of other security professionals, building managers, security officers, police officers, concerned business owners, elected officials, contract security providers and concerned citizens.

### Examples

- **Lloyd District:** OCC and the MRC are members of the Lloyd District Security/Police Monthly Meeting.
- **SPAN:** OCC attends the downtown SPAN (security and police network meeting).
- **Peer-networks:** Venues may participate in Academy for Venue Safety and Security (AVSS) through the International Association of Venue Managers (IAVM).
- **Local relationships:** Many sites have security and safety based relationships with neighboring communities and businesses.

### Impacts

- Discussing approaches to safety and security related issues with these groups likely influence our ways of thinking about security and safety.
- This may not be the type of thinking Metro wants brought back to sites and programs.
- There is an opportunity for Metro's leadership and positive impact through these relationships and spaces.

## **Law Enforcement Relationships**

Metro Venues receive regular and routine assistance (sometimes contracted) from the Portland Police for events. On occasion, Venues provide use of premises to PPB for trainings. All Venues and the MRC utilizes PPB for assistance managing situations where security cannot gain or maintain control when it is needed and for reporting property crimes and problematic behavior on or around the premise.

### Examples:

- **Emergency services:** PPB provides emergency services for crimes, threats or other issues beyond our control
- **Ongoing police support:** There are established contracts with Portland Police Bureau at OCC, P5, Zoo and Expo to assist with events.
- **Criminal activity:** Sites/venues call PPB for assistance with crimes committed on property, inability to remove individuals from premise (outside and inside)



- **Use of 911 system:** Call 911 or non-emergency for medical issues, reporting problematic behavior witnessed on or around premises or as situations require.
- **In-kind support:** Host law enforcement trainings (K9, Bomb Squad) with PPB, TriMet, and Port of Portland.

Impacts:

- Utilizing law enforcement at our sites and venues sends a message that Metro may be ignoring to how the BIPOC community is impacted by law enforcement;
- condones current and past practices engaged in by law enforcement;
- In at least one instance, Portland Police over-prescribed the number of officers needed at an event at the Expo Center (ultimately bringing a SWAT truck and more than a dozen officers to a family-centered event), adding unnecessary expenses to our client and leading to complaints from guests of color who felt targeted and unwelcomed.

## PARKS AND NATURE

Parks and Nature has a variety of touch points with policing, security and incarcerated labor – from emergency management, to ongoing security needs, to sourcing materials for our regional parks. Touch points are organized into three themes:

- Rule enforcement
- Incarcerated labor
- Safety and security

### Rule enforcement

Parks and Nature makes use of a variety of policies and practices that work to protect both people and property. Policies set expectations for behavior of staff and visitors, regulate the authority of security personnel to engage with visitors, provide direction for rule enforcement for the protection of people, property, natural and historic resources and wildlife.

#### Examples:

- **Title X:** The purpose of Title X is to provide the “regulations governing the use of Metro owned or operated Parks and Nature facilities by members of the public in order to provide protection for wildlife, plants and property, and to protect the safety and enjoyment of any person visiting these facilities.”
- **Vandalism:** Defacement of property, graffiti, damage to property, etc.
- **Camping:** Under Title X it states “No person shall, within the boundaries of any park: (a) Camp overnight or longer without first obtaining a camping permit. (b) Camp longer than five (5) consecutive days in any specific park. (c) Camp for more than 10 days in any 30-day period in any specific park. (d) Camp at any time or in any place except as specifically provided for in a camping permit. (e) Camp if he/she is under the age of 18, unless he/she is accompanied by an adult. (f) Camp in nondesignated areas.”
- **Contracts with local police departments:** Parks and Nature has a contract with the city of Fairview for policing at Blue Lake Park and Chinook Boat Launch, a contract with the city of Wilsonville for patrolling specifically the Graham Oaks parking lot, a contract with Multnomah county for policing at Gleason Boat Ramp and a contract with the city of Portland for policing at a number of sites within the jurisdiction.
- **Contracts with private security:** Parks and Nature currently hires private security firms to open/close and patrol park and natural areas. This occurs at access sites that do not have automatic gates and it is unfeasible for Metro staff to complete tasks due to hours and other staffing limitations. They also provide “extra ‘boots on the ground; in enforcing rules,” checking for illegal activity and access, and monitoring site and equipment security.

#### Impact:

- In many instances, Title X is up to the discretion of the enforcer; enforcement of Title X has the potential to be disproportionately harmful to BIPOC folks, unhoused individuals, and folks with disabilities

- Reliance on local departments for policing and patrolling, can lead to violent interactions between enforcement and the public—which history and statistics tell us has a disproportionately negative effect upon BIPOC folks, LGBTQI2S+ folks, unhoused folks, and folks with disabilities
- When rangers report an ‘illegal’ camp, they will call on WPES’s RID patrol team to sweep the camp and clean up after the camp. This is a complicated situation, both externally and internally. Externally RID is asked to navigate the intersection of race, mental health, and socioeconomics. Internally there is debate as to who should hold this work. As it stands, RID can, at times feel, that Parks is outsourcing difficult decisions regarding displacement of unhoused people on RID patrol.

### **Incarcerated labor**

Parks and Nature relies on incarcerated labor for a number of essential functions.

#### Examples:

- **Clackamas County corrections crews:** Park and Nature contracts with Clackamas County Corrections Crews for the direct use of incarcerated labor for graffiti removal throughout our portfolio and maintenance services at cemeteries and Glendoveer. These crews are not paid and hours go towards community service requirements.
- **Oregon Correctional Enterprises:** Incarcerated laborers manufacture a number of park furnishing. Metro is incentivized to make use of OCE. The contract exists so there is no procurement hurdle and due to the near non-existent wages for the labor, the furnishing are quite cheap. Incarcerated individuals make \$50-500/month for full time work.
- **Purchasing/use of materials that benefit from the prison industrial complex:** e.g. 3M, Microsoft, Amazon. Other companies include Galls and 5.11 tactical gear for park ranger uniforms, AECOM for construction services.

#### Impact:

- Here is the introductory language in the State of Oregon Constitution describing incarcerated labor: “(1) Whereas the people of the state of Oregon find and declare that inmates who are confined in corrections institutions should work as hard as the taxpayers who provide for their upkeep; and whereas the people also find and declare that inmates confined within corrections institutions must be fully engaged in productive activity if they are to successfully re-enter society with practical skills and a viable work ethic; now, therefore, the people declare:” This is white supremacist language, plain and simple. When we make use of incarcerated labor, we uphold the vision and values of this language. That does not mean we should entirely divest from incarcerated labor—for by doing so would only hurt those laborers—but rather find ways find solutions that provide decency, opportunity, and a living wage to those currently and formerly incarcerated.
- Question: has anyone who has been on these ‘inmate crews’, once released from the prison system, been able to gain employment at Metro?

## Safety and Security

Part of Parks and Nature's core mission is the creation and maintenance of safe and welcoming natural spaces.

### Examples:

- **Verbal Judo:** Rangers are trained in verbal judo as a de-escalation technique. According to former FBI special agent Joe Cicini verbal judo "or *tactical communication* is a way of diffusing conflict through conversation". Verbal Judo was written by George Thompson a former police officer. While Thompson claims Verbal Judo is relevant for anyone, it was created with police, the armed forces, private security, and intelligence agencies in mind.
- **Deputized rangers:** Rangers are deputized by county sheriffs, granting them particular authorities for rule enforcement—this is among the reasons why they wear badges
- **Crime Prevention Through Environmental Design:** From Wikipedia, CPTED "originated in America around 1960, when urban renewal strategies were felt to be destroying the social framework needed for self-policing. Architect Oscar Newman created the concept of 'defensible space', developed further by criminologist C. Ray Jeffery who coined the term CPTED. Growing interest in environmental criminology led to detailed study of specific topics such as natural surveillance, access control and territoriality. The "broken window" principle that neglected zones invite crime reinforced the need for good property maintenance to assert visible ownership of space. Appropriate environmental design can also increase the perceived likelihood of detection and apprehension, known to be the biggest single deterrent to crime. There has also been new interest in the interior design of prisons as an environment that significantly affects decisions to offend."
- **Media relations:** When there is high profile vandalism or an emergency situation at Metro parks, local media will likely reach out to Metro for a statement.

### Impact:

- What is safe for white dominant culture cannot be said to be safe for those most harmed by white supremacy.
- Not all communities have positive connotations with persons in uniform, particularly those with badges.
- Verbal Judo is not trauma-informed.
- Rangers and operations staff are often forced to act beyond their job description. They are placed in situations where they are asked to be both a rule enforcer and a social worker. This places undue burden upon rangers and operations staff.

## PLANNING, DEVELOPMENT AND RESEARCH

Planning, Development and Research's (Planning) touch points speak less to our role in creating safety at Metro sites and destinations, and more about our role in creating safety, stability and prosperity within communities. These upstream plans, policies and investments can increase or decrease the vulnerability or resilience of a community and impact the frequency and nature by which they interact with law enforcement and the criminal justice system. Planning's touch points and levers for creating safety are organized into the following themes:

- Safety for Whom? Defining safety and security in regional plans and policies
- Safety Defined by Whom? Role of police and security in grants and resource allocation
- Safe and Livable Neighborhoods for All? Safety and security in land use and housing policies and plans
- Safe and Livable Streets for All? Safety and security in transportation policies and plans
- Call the Police? Personal and public safety during engagement events

### **Safety for Whom? Defining safety and security in regional plans and policies**

Many regional plans and policies refer to desired outcomes such as safe and stable neighborhoods, safety and equity, however, "safety for whom" is rarely defined. Definitions involving safety and security typically do not include explicit references to the police and carceral system, but can be inferred in some cases. More recent plans and policies are adding references to people "feeling safe" which to begin to define "safety for whom."

#### Examples

- **Inclusive Style Guide** – Metro is developing an inclusive style guide that could include definitions and recommendations on words, phrases and terms to use when communicating about public safety and livability, including in relation to policing and security. A governance committee will provide a forum for developing new guidance.
- **Messaging** – In communications and messaging, there is increasing effort to describe the people and communities Metro serves with sensitivity; respecting their dignity, and acknowledging the vulnerability and to risk some communities face. This includes acknowledging differential power and access to resources, and recognizing that people and organizations with more power, such as police, have more responsibility to be safe and use their power responsibly.
- **Definition of personal and public security in adopted transportation policies** (Regional Transportation Plan, Regional Transportation Safety Strategy, Metropolitan Transportation Improvement Plan, Street Design guidelines): "Security (Public and Personal) – Protection from intentional criminal or antisocial acts while engaged in trip making through design, regulation, management, technology and operation of the transportation system.
- **Definition of Historically Marginalized Communities** (in the RTP and other documents): Definition refers to institutional and structural discrimination across

the board, so could apply to discrimination of Black people in the carceral system: “Groups who have been denied access and/or suffered past institutional or structural discrimination in the United States, including: people of color, people with low English proficiency, people with low income, youth, older adults and people living with disabilities.”

- **Definition of Emergency Transportation Routes** – Provides an example of a definition that references police as an essential part of safety responses: “Priority routes used during and after a major regional emergency or disaster to move people and response resources, including the transport of first responders (e.g., police, fire and emergency medical services), fuel, essential supplies and patients.”
- **Definition of Safe Routes To School (2018 RTP)** – Provides an example of a definition that references police as a partner to help achieve safe communities: “...The program works with parents, school districts, local governments, government, police and community partners to make it easy and safe for kids to walk and bike to school.”
- **Supportive Housing Services Work Plan, included in definition of imminent risk of literal homelessness** – Provides an example of a definition that acknowledges the negative impact of the carceral system on the safety and wellbeing of some community members: “Individuals exiting an institution (including but not limited to exiting **incarceration** or foster care) and who face literal homelessness; ...”

#### Impact

- When “safety for whom” is not included in definitions of safety, security and livability, the assumption is that “safety for everyone” is implied. This implication ignores the reality of Black people and other people of color that are not equally safe everywhere. It also ignores the reality that many interventions (design, regulation, management, technology and operations) have at best ignored the safety of Black people, and at worst have prioritized safety for White people and intentionally made Black people, neighborhoods, communities less safe.

### **Safety Defined by Whom? Role of police and security in grants and resource allocation**

The planning department allocates millions of dollars each year to public agencies and community partners to help create more vibrant and livable communities. Safety, or safe and vibrant neighborhoods, is often referenced as a desired outcome, however “safety for whom” or “safety defined by whom” is not typically included. More recently, funding programs have begun to expand guidance and resources to acknowledge the need for community defined and created safety. Additionally, more programs are explicitly linking activities and methods to advancing racial equity.

#### Examples

- **SRTS Back to School Toolkit** – A recent toolkit include guidance for partners (schools, families) on personal safety/security/dealing with harassment, with guidance to NOT call the police, unless the person being harassed says it is ok. The

toolkit advises to “consider incorporating personal security concepts into safety lessons in addition to addressing traffic safety, as some students may be traveling without adult supervision and may face hate or discrimination while traveling.”

- **SRTS Back to School Toolkit** – Includes guidance for partners (schools, families) on partnering with police: "At this time, we do not recommend partnering with police to ensure that all families feel welcome and safe."
- **Community placemaking “What to expect if you are awarded a community placemaking grant” handbook** – invites community members to reflect on “what safe spaces means to your community” as one way to measure success. The community placemaking program is an example of a community driven program, co-developed with community members.
- **Community placemaking grants** – Provide an example of a process that encourages community trust – many people hear about the program through word of mouth. Incarceration and police violence is an important topic that consistently comes up from community.
- **Affordable Housing and Supportive Housing Services program** – these programs are grounded in policies and approaches that advance racial equity.
- **Stakeholder engagement** – The planning department is increasingly seeking out opportunities to engage with and hear from people in communities affected by income and housing instability and homelessness, and Black, Indigenous and other people of color (BIPOC) community members, with the intent of having plans, policies and resources reflect the needs and desires of these different communities, including what safety looks and feels like.

#### Impact

- Different communities define safety in different ways. Regional funding programs that ask communities to consider “what safe spaces mean to your community” or acknowledge the unsafe relationship some communities have with police supports communities to define safety for themselves.
- Metro has an opportunity to respond to community interest in transformational action and healing around incarceration and police violence through grant and funding allocated by Metro.
- Placemaking, land use and transportation investments in the field of urban planning has, historically, intentionally and unintentionally, attempted to erase Black places to create places that center comfort and safety of White people. Fully recognizing this history and the power of investment to destroy and create places, provides opportunities for Metro to support communities to define safety and places for themselves.

### **Safe and Livable Neighborhoods for All? - Safety and security in land use and housing policies and plans**

Safety, equity and livability are at the heart of most Planning and Development programs, policies and investments. Some programs and policies directly address the impact of the carceral system on safety and livability and equity, other policies refer to the use of

enforcement to maintain safety. However, most recent policies and plans are explicitly linking activities and methods to advancing racial equity.

#### Examples

- **Housing program “Emerging best practices to operationalize racial equity in affordable housing”** – provides a strong example of overall best practices and strategies that advance racial equity. Specific to reimagining policing and security, one best practice included is to “look beyond histories: Recognize that people of color are disproportionately impacted by the structural racism within the criminal justice system. Consider only recent or serious crimes that relate to the safety of the property and other tenants. Screen for criminal background only after applicant has met all other qualifications. Educate applicants on how to submit a reasonable accommodation request during the application process.”
- **2040 Growth Concept “Nature of 2040”** publication links unmanaged growth with deteriorating public safety. “Metro’s population projections showed that ..... Our public services such as utilities, public safety and transportation systems would also be stretched beyond capacity.”
- **Supportive Housing Services draft policy overview, protecting incarcerated tenants** – “Temporary vacancy: The rent contract will be maintained for up to 180 days if the tenant is temporarily out of the unit (e.g. confined to a nursing home, hospital, inpatient treatment or incarcerated). Accommodations beyond 180 days will be at the discretion of the program and may include options to be placed at the top of the list when the tenant returns or is released.”
- **Supportive Housing Services Program** - Potential space in the Tri-County advisory body to facilitate a regional dialogue around safety and housing.
- **Property management and security** –There is a growing need in the Transit Oriented Development and housing programs for access to best practice and guidance for culturally responsive security for properties and spaces that Metro either directly operates, or to provide to partners.
- **Code enforcement** –Historically and to this day, code enforcement has been used to basically police people of color out of neighborhoods. Metro plays a significant role setting the framework for land use and transportation policy and codes. Metro has the ability to influence the approach of local jurisdictions by supporting best practices. Portland’s Bureau of Development Services, for example, is changing enforcement strategies for better outcomes in terms of racial equity and community empowerment.
- **Data neutrality** – There is a growing awareness that the collection, analysis and use of data is not neutral, and in fact there is a long history of data that ignores, purposefully excludes, and is used to oppress people of color, people with low income and other groups. Metro data, for example, has had data requests from law enforcement to defend against reports of racial profiling.

#### Impact

- Urban and regional planning has historically centered the safety and comfort of White people. When safety, and safety for whom, is not explicitly defined, references to ‘safe and livable neighborhoods’ can be assumed for safety for White people and



neighborhoods, as in the well-known “broken window” theory of crime that has influenced placemaking in cities, including the Crime Prevention Through Environmental Design approach.

## **Safe and Livable Streets for All? - Safety and security in transportation policies and plans**

Safety, equity and livability are at the heart of most of the planning department programs, policies and investments. Some programs and policies directly address the impact of the carceral system on safety and livability and equity, other policies refer to the use of enforcement to maintain safety. Most plans, policies and programs refer to safety in a general sense and do not define safety for whom, or defined by whom. However, most recent policies and plans are explicitly linking activities and methods to advancing racial equity.

### Examples

- **Engagement in Reimagine Oregon and TriMet’s Reimagining public safety on transit efforts** – Planning department staff and Metro leadership have been involved in two external efforts to reimagine safety and dismantle systemic racism in housing, transportation and land use. Involvement in these efforts is informing future policy and plans at Metro through the work of the Metro Reimagining Policing and Security project. Metro can directly and indirectly influence how TriMet approaches policing on transit.
- **Equitable finance in the 2023 RTP** – Planning staff account for a variety of local, state and federal revenue sources in developing the RTP, many of which rely on fares, fines and fees. Fare evasion, fees and fines are related to traffic enforcement. The 2023 RTP will also be looking at congestion pricing. RTP projects are anticipated to implement congestion pricing as a way to manage demand and provide investment revenues; equity and reduction of negative impacts to Black and low income populations from the enforcement of congestion pricing and associated fees will be considered.
- **Enforcement actions in the Regional Transportation Safety Strategy** – Policies and actions de-emphasize enforcement, but actions related to high-visibility and automated enforcement of high risk behaviors are included. Action 4.1 which does recommend targeted enforcement also recommends taking actions to reduce disproportionate impacts from racial profiling and fines. Safety Policy 1: References to “equitable enforcement” (which may be a misnomer).
- **Regional Transportation Plan Safety Policy** - “Individual and public security while traveling is an important part of transportation safety. Unlike serious traffic crashes, the problem of individual and public security is less well documented. However, fears for personal security are often raised by community members in the region. The greater Portland region has the highest reported number of hate crimes in the United States and the tragic, racially motivated attack on a MAX train in 2017 have highlighted that not all people in the region are equally safe and secure while traveling. People walking, bicycling and taking public transit can feel and be especially vulnerable.”

- **Regional Transportation Plan Safety Policy 8:** "Prioritize investments, education and enforcement that increase individual and public security while traveling by reducing intentional crime, such as harassment, targeting, and terrorist acts, and prioritize efforts that benefit people of color, people with low incomes, people with disabilities, women and people walking, bicycling and taking transit."
- **"Feeling safe and welcom" included in the Draft Mobility Policy and Draft Transportation System Management and Operations Strategy** – references to people feeling safe in addition to being safe on the transportation system are included, noting that not all people feel equally safe while traveling. Implied, though not specifically stated, is safe from harassment. Police are not referenced.
- **Creating safe streets - Designing Livable Streets and Trails guidelines** - "Streets and trails are welcoming, safe places for all people to use. Design elements such as lighting and culturally relevant public art and placemaking are used to deter crime and harassment. Activating streets and trails provides more eyes on the street and increases personal security" AND "Design for personal security: People of all races, genders, ages and abilities should feel safe from crime and harassment while using streets and trails. Unfortunately some people, especially people of color and women, can feel unsafe on some streets and trails."
- **Crime Prevention through Environmental Design (CEPTD) in Designing Livable Streets and Trails guidelines** – Use of CEPTD as a tool could be reexamined in light of its problematic relationship to broken windows policing and code enforcement.
- **RTO Racial Equity Research (May 2019)** - Questions refer to safety and feeling safe while traveling, but there are not specific questions related to safety and security with police, or defining what safe and comfortable means to people of different races.
- **Transit Policy 2, Regional Transportation Plan** - refers to the use of security cameras at transit stations. There are no policies on transit police.

#### Impact

- Transportation planning and investments has historically centered the safety and comfort of White people while intentionally and unintentionally excluding the Black experience and attempting to erase Black communities. When safety, and safety for whom, is not explicitly defined, references to 'safe and livable neighborhoods' or Crime Prevention through Environmental Design can be code for safety for White people and neighborhoods.
- Regional planning transportation investments and policies are made within the context of the broader society including police enforcement on streets and transit. Metro polices and investments can be levers to create change.

### **Call the Police? Personal and public safety during engagement events**

Activities and events with the public, other agencies and community partners are a cornerstone of Planning and Development projects and programs. The department strives to create spaces that are safe for everyone. Understanding that interactions with police and

security can be unsafe for some people, there is growing awareness in the department that creating safe spaces requires policies, guidelines and thinking through activities and events that could potentially involve police or security. Planning and Development has some practices, policies and guidance in place that address safety in relation to security and police at Metro activities and events, and there is room expand in this area.

#### Examples

- **Metro Attire** – Planning department employees working at events or out in public (e.g. counting vehicles at a Park n’ Ride, trail counts, riding transit, tabling an event) may wear Metro attire (e.g. t-shirt, vest, name tags) that identify them as Metro employees and indicating to the public and police that ‘they are supposed to be there.’ There is no formal policy or practice related to this, however.
- **Bystander Intervention Training** – Planning department employees may opt to take a bystander intervention training and de-escalation technique trainings to learn how to intervene if another employee or member of the public is being harassed at public events, at work, or while traveling on the job. There is currently no requirement for this training.
- **Creating Welcoming Spaces Checklist** –Planning communications has developed a ‘living’ document with ways to create more welcoming, accessible and trauma-informed physical spaces. The checklist suggests avoiding places that have law enforcement present, and may be updated to include guidance on what to do in the event of a theft or disturbance, and when to call or not call the police.
- **Security or Police at Events** – There is currently no existing procedures related to asking prospective venues and community spaces about their security practices. P&D events at Metro facilities may have Metro security present.
- **Communications and Engagement intake form** – The form includes questions to prompt thinking carefully about communications and events, including how safety for all is approached.

#### Impact

- Lack of formal policy or practice regarding Metro attire, nametags, etc. could negatively impact Black employees who may be harassed on the job if police or members of the public assume ‘they are not supposed to be there.’
- Staff may not be prepared or trained to intervene or take other safety actions when they witness harassment or other dangerous behaviors while on the job.
- Staff may not have guidance or understanding on when it may not be appropriate to call police or security; this could lead to situations that put Black employees or community members in direct, unwanted contact with police or security.
- Lack of guidance on what to do in the event of a theft (e.g. of personal or Metro property) or a disturbance at a Metro event may lead to the default of calling the police. Calling the police may not be the safest solution for all involved.
- Presence of security or police at P&D events whether at Metro facilities or at other venues may make some employees and community members feel less safe.

## WASTE PREVENTION AND ENVIRONMENTAL SERVICES

Waste Prevention and Environmental Services host a variety of touch points, ranging from episodic needs for crisis management to sustained relationships with law enforcement agencies to deepening investments in workforce development for people who have experienced incarceration. Touch points in this department are organized into five themes:

- Use of labor of incarcerated people
- Calling the police
- Relationships with law enforcement
- On-site security
- Levers for creating safety in communities

### Use of labor of incarcerated people

This synthesis provides information for existing Waste Prevention and Environmental Services (WPES) contracts, including those currently on pause, and does not include a comprehensive list of how incarcerated labor has been used historically in WPES.

#### Examples

- **RID Patrol:** From 1993-2020, RID Patrol (Regional Illegal Dumping) relied primarily on incarcerated labor to provide cleanup services for garbage in public spaces and on Metro properties.
  - The use of incarcerated labor was paused in 2020 as decided by Metro leadership.
  - RID Patrol intends to continue to engage stakeholders on this topic and will develop an engagement strategy and timeline.
- **Litter collection:** Metro Central and Metro South Transfer Stations have intergovernmental agreements (IGAs) with Multnomah and Clackamas Counties for youth offenders to collect litter and the wages go toward restitution for the victim of the crimes they are convicted of.
- **Contracted staff:** MetroPaint has historically relied heavily on contracted labor for paint processing and additional aspects of the paint program that is sourced primarily from DPI Staffing which may include people with criminal records including incarceration. These contracted positions are not Metro FTE and are paid a lower wage and have access to fewer benefits.
  - In July 2021, a budget amendment was approved to create 12 Metro FTE positions that were formerly contracted positions, and that recruitment will begin in October 2021.
  - WPES is evaluating its use of contracted labor, including DPI staffing going forward.

## Calling the police

WPES programs may contact police departments or refer customers to local police for a myriad of reasons on an as needed basis.

### Examples

- **Criminal activity:** Police are notified of criminal activity at Metro sites (e.g., trespass, DUII at Metro facilities, burglary, etc.) and vehicle accidents, hostile customers, accidents with injuries, and fires.
- **Referrals for disposal:** Recycling Information Center (RIC) may refer callers to local police stations for disposal of firearms, pharmaceuticals, and sharps.
- **Disposal support:** Hazardous waste consults and collaborates with Metropolitan Explosive Disposal Unit through Clackamas County Sheriff's Office for final management and disposal of dangerous and unstable chemicals and explosives as needed.
- **Alarm/site security:** MetroPaint has an alarm permit with the police bureau and a monitoring company. If the alarm is triggered after hours managers receive a phone call and discuss options with the alarm company. One option is to send police to check on the property.

## Relationships with law enforcement

WPES (RID) holds contracts (IGAs) with local law enforcement for two officers to conduct investigations related to illegal dumping, theft of services, failure to pay at transfer stations, failure to comply with transfer station conduct rules and serve exclusion notices, monitor for flow control and other solid waste related investigations. These officers are on contract with RID within the Community Services and Education division, but they also support Policy & Compliance and Garbage Recycling Operations. In addition, other WPES programs may coordinate with local law enforcement for educational events (such as National Night out) or investigating alleged violations of Metro Code.

During contracting and recruitment of law enforcement officers, RID Patrol establishes values, expectations and code of conduct for potential officers joining the team. Each potential candidate is vetted with Metro staff, the candidate's command staff and external partners to ensure they will meet expectations; especially when working with vulnerable communities, providing safety and security to staff and public during cleanup activities, and engaging with the public and businesses when investigating dumping incidents and other solid waste related matters, and with the houseless community to provide assistance and connect to services. The law enforcement partners on RID Patrol provide a known entity for responding versus relying on calling 911 and not knowing what sort of response you may receive or the ability to set expectations. In the past when contacting local law enforcement for assistance either through 911 or direct contact, we have experienced mixed results; some great responses but also local law enforcement not responding or refusing respond to our request for assistance or conducting the response in a manner that does not align with our values and expectations.

### Examples

- **RID Patrol officers:** These officers accompany Metro RID Patrol staff when posting camp cleanup and movement notices located on Metro property. The officers are present to provide support in case of security or safety issue for anyone present including Metro staff, houseless community, partners and general public as needed. Often the locations are in wooded areas without cell service. The posting and cleanups of are regulated by ORS Chapter 203; Metro enforces Title X and Metro developed revised camp movement guidelines during COVID. During cleanups officers have:
  - Deescalated dangerous situations when a person was having a mental health crisis and threatening physical assault with weapons present
  - Connected houseless community members to resources and social services
  - Helped a severely injured Metro staff person quickly get from a remote area to the emergency room for medical treatment.
  - Facilitated conversations with a person's parole or probation officer to remedy an issue, and otherwise provide support and information that RID Patrol staff don't have knowledge, experience of or access to.
- **Solid waste investigations:** The officers assigned to RID Patrol conduct solid waste investigations such as investigating evidence associated with an illegal dumping incident with Community Services and Education's RID team, incidents where customers fail to pay their disposal costs at the transfer station with the Garbage and Recycling Operations team; and investigate disposal activities to ensure proper disposal and payment of fees and taxes with the Policy and Compliance team. The partnership with law enforcement provides additional access to information that is only accessible to law enforcement.
- **Camp clean up:** RID Patrol provides camp cleanup support and disposal services to local government partners which often involves local police department, either directly through the IGA or indirectly through the government partners. Under these IGAs the role of RID Patrol is to remove and dispose of any trash and unwanted items. All other actions are carried out by the IGA partner.
- **Dump sites:** RID Patrol often coordinates with local jurisdictions to respond to large or challenging dump sites. Coordination sometimes involves local law enforcement agencies if there is known or suspected criminal activity. RID will provide cleanup services once any criminal investigation is complete. Sometimes the local law enforcement agency will participate in the cleanup by providing equipment (such as Gators or ATVs), assist in the cleanup activity or might otherwise be the lead coordinator with a cleanup effort.
- **Traffic control:** When a dumpsite is located near a busy road or intersection, or traffic needs to be blocked or rerouted to safely access and cleanup dumped garbage RID Patrol staff will seek traffic control assistance from our RID Patrol assigned officers. In some cases, we will reach out to local law enforcement for traffic control support.
- **Outreach:** Outreach at community events like National Night Out, which is organized by local police departments.

- **Code violations:** Metro staff coordinates with other agencies, including law enforcement, when investigating alleged violations of Metro Code – could include civil or criminal enforcement of environmental laws.
  - Law enforcement may accompany inspectors for DEQ investigations/inspections when safety concerns and could include Metro inspectors and collaboration.
  - Code enforcement in some jurisdictions (i.e. Hillsboro) is embedded in police department and referrals/complaints may come in this way and Metro inspectors coordinate with local jurisdiction
- **External coordination:** Metro is a paying member of Western States Project, a consortium of government agencies (including law enforcement) involved in regulatory, civil, and criminal enforcement of environmental laws.
- **Fee waivers for dangerous and illegal items:** Non-system license and regional system fee and excise tax exemption for contraband (drugs, guns, etc.) Metro Code 5.05.050(c) in order to assure public safety or for the public good.

### **On-site security**

WPES employs some security guards and Metro staff interact with security guards employed by other facilities. On-site security has historically centered the safety and comfort of white people. WPES is seeking to increase security at its transfer stations, in particular, at Metro South, in response to the increased hostility customers are directing at staff, particularly staff of color.

#### Examples

- **Transfer station security:** Currently security at Metro Transfer Stations is subcontracted by the contracted operator, Recology for 24/7 security presence. This is already expected to change because WPES is submitting a November 2021 budget request for 5 FTE security staff to replace contracted security with Metro FTE.
- **Staff interactions:** WPES staff interact with on-site security through a variety of ways including:
  - Front desk security at Metro Regional Center
  - Educators regularly interact with park ranger/zoo security/school security.
- **Load inspection:** Facilities regulated by Metro issued solid waste facility licenses are required to provide access to the facility for uncovered load inspection
  - Licensees must allow authorized representatives of Metro (including law enforcement personnel on contract to Metro) to have access to the facility premises for the purpose of contacting individuals that are observed transporting uncovered loads on public roads in violation of Metro Code 5.09.040.
- **Staff experiencing harm:** WPES staff at various locations have reported experiencing hostility and harm from service users, some of which was racially motivated. These events are occurring mostly at the transfer stations, though Recycling Information Center staff have also reported hostility and harmful comments from service users.

## Levers for creating safety in communities

Waste Prevention and Environmental Services works to create community safety and prosperity through a variety of levers, namely through how they invest in communities through workforce development and how services are provided to communities with low access to critical waste disposal services.

### Examples

- **Workforce Transition:** The development and expansion of the RID Patrol workforce transition program. The workforce transition program prioritizes people impacted by incarceration and law enforcement, corrections, parole, and probation in addition to CBOs and other stakeholders as part of the development of programming, services, and pathways into and from the workforce transition program; and pathways or connections from law enforcement and corrections to CBOs and other program partners.
- **Garbage services for houseless individuals:** RID Patrol's Metro bag program works with outreach workers, social services, CBOs, local jurisdictions and law enforcement agencies to provide access to garbage services. The bags are not used to move people or to conduct a cleanup. The bag program's purpose is to be used by houseless community members to access trash services and the ability to clean up their living space.



June, 18 2020

Council President Peterson and Representatives of Metro Council,

As the Committee for Racial Equity for Oregon Metro, we serve as an advisory committee that is a critical component of Metro's efforts to advance racial equity; whose purpose is to "provide community oversight and opportunities for Metro to have greater accountability to the community on the implementation of the strategic plan." In the spirit of advising the council and advancing Metro's commitment to Racial Equity as well as holding the councilors accountable to that commitment, we are called to emphatically advise the council and implore you to heed our community-backed advice.

Metro's Racial Equity Strategic Plan puts forward a bold commitment: "Metro is committed to arriving at an equitable and prosperous Portland region where everyone has opportunities to enjoy a good quality of life. Taking a racial equity approach by removing barriers and increasing equitable outcomes for people of color in the region is the most intentional and effective path to get there." What has been painfully obvious to the Black, Indigenous, and other communities of color for centuries has been a struggle for White community members to acknowledge or recognize: the health and well-being of those communities are being threatened. The events of the last few weeks have further heightened the visibility of generations of injustice happening in Black, Indigenous, and other communities of color across the country and in Oregon as a result of systemic and militaristic police violence. We feel this is a critical point for CORE, Metro Leadership, and Councilors to speak up and use their privileged positions.

Two Portland-based community organizations, Portland African American Leadership Forum and Unite Oregon, offer this analysis:

"All across this country, Black people live with the everyday reality of being subjected to a police occupation. This is a form of state violence perpetrated against our community. As a people living in Black bodies, state-sanctioned violence, hyper-surveillance, and resulting disenfranchisement is a constant danger. Black folks who are poor, women, people who are currently and formerly incarcerated, working class, LGBTQ+ and gender non-conforming, [disabled], and Black immigrants and refugees of all documentation status are particularly vulnerable. The physical and economic

violence of policing, incarceration, and judicial supervision can no longer be tolerated.

Police agencies in Portland, including Portland Police Bureau, Multnomah County Sheriff, Trimet police, and Portland State's Campus Public Safety officers, like police in other cities, maintain practices of violence against BIPOC people; poor and houseless people; queer, trans, and gender nonbinary people; and immigrants and refugees. The US Department of Justice is currently providing oversight to PPB due to documented abuses of those with, or perceived to have mental illness; and this most recent Settlement Agreement is not the first time that PPB has been under federal scrutiny for its racial profiling, use of force, and other abuses in the community. Yet officials continue to defend the system and resist externally driven reforms, and Portland Police Association defies community demands for accountability and change."

While past appeals have called for reform, regulation, training, and increased community oversight, the analysis has shifted to now acknowledge that our current systems *are beyond* reform. Diverse community members and groups have added their voice and support to the demands, built on years of community action from Don't Shoot PDX, Black Lives Matter, PAALF, and Unite Oregon. These demands are simple:

- Divest in Police,
- Reinvest in Black Lives, and
- Protect our Communities from Violence.

Before we proceed, we first need to stop all investment in programs, task forces, and further training programs that support a police state that kills Black, Indigenous, and people of color. There are also a host of solutions that reallocate police funds to address housing insecurities, physical and mental health needs, and a community-driven model for public safety.

President Peterson, you said in your statement released on June 1st that you reached out to Mayor Wheeler as well as Commissioner Hardesty to ask how Metro can help. We expect you to offer the same support to the organizations whose calls for change have gone unanswered for years.

We're not asking for the creation of new solutions to this problem by Metro; those asks and proposed solutions have already been made for years by the Black community.

What we are asking is that all members of Metro, from President Peterson to the Councilors, the COO and all Metro Staff, use their positions, privilege, and representative power to amplify and stand by those proposed solutions from the Black community.

Metro is a group of elected officials representing districts of the Portland Metropolitan area; you are a regional governing body. Your Black constituents are hurting and dying and it is incumbent upon Metro to act swiftly to put their support and political power behind the Black Organizations that have been calling for these changes for years.

As the City of Portland and Multnomah County consider this call to action from community groups, we believe Metro's leadership is important. This is a key moment for Metro to meaningfully consider what investing in Black lives means in both supporting a divestment from policing to investment and implementation of community-driven solutions that ground so much of Metro's Racial Equity Strategic Plan.

CORE stands in full support of this movement and the proposed changes outlined by a growing coalition across our city led by PAALF and Unite Oregon. We know that Black Lives Matter. We call upon you as leaders to set an example for local and county governments, and send the message that Metro knows it will take bold action to truly center BIPOC communities.

Thank you,

Signed:

Effie Bustamante  
Martine Coblentz, Co-Chair  
Nura Elmagbari  
Karla Hernandez  
Saara Hirsi  
Duncan Hwang  
Laura John  
Patricia Kepler  
Daniela Ortiz  
Dele Oyemaja  
Tristan Penn, Co-Chair  
Katie Sawicki



# Reimagining Policing, Security and Incarcerated Labor Project

Project Background and Design

October 2021

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

**So, hello. We’re Metro – nice to meet you.**

In a metropolitan area as big as Portland, we can do a lot of things better together. Join us to help the region prepare for a happy, healthy future.

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Lynn Peterson

**Metro Councilors**

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Christine Lewis, District 2

Gerritt Rosenthal, District 3

Juan Carlos González, District 4

Mary Nolan, District 5

Bob Stacey, District 6

**Auditor**

Brian Evans

600 NE Grand Ave.

Portland, OR 97232-2736

503-797-1700

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## WHY IS THIS WORK IMPORTANT?

This commitment is informed by the calls for advancing racial justice by Reimagine Oregon and other Black community leaders during this time of increased social awareness of the countless killings of Black and Brown people across the United States at the hands of police. Due to this increased social awareness, Portland's Black community, among others, are demanding a reimagining of how our society chooses to conduct public safety and approach justice. Metro is committed to our own reimagining process in line with these demands – rethinking our relationships with the carceral system and approaches to policing, security and incarcerated labor. This project will elevate the work of many community groups and partners who have and are deeply engaging in this work. This includes utilizing published reports, recordings of trainings and conversations and engagement as needed.

PAALF (now known as Imagine Black) states, “Police agencies in Portland, including Portland Police Bureau, Multnomah County Sheriff, Trimet police, and Portland State’s Campus Public Safety officers, like police in other cities, maintain practices of violence against BIPOC people; poor and houseless people; queer, trans, and gender non-binary people; and immigrants and refugees.” Much of this violence can be traced back to settler colonial roots. In the article, Indigenous Cultural Values Counter the Damages of White Settler Colonialism, “settler colonialism is a structure not an event’ (2006, 388). Like any structure, it requires ongoing maintenance, and like all systems of oppression that require denial of privilege to come, the structure of settler colonialism largely remains invisible. Over time, it comes to seem permanent, impenetrable and appears inevitable.” This project will allow Metro to understand our influence to better these outcomes.

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## PROJECT BACKGROUND

The purpose of this project is to inform policies and practices that will reduce the harm of Policing, Security and Incarcerated Labor has on Black, Indigenous and other communities and staff of color.

Through this project, we seek to create deeper understanding about how government actions, including Metro’s budget and policy decisions, have led to inequitable access, opportunity and outcomes for Black people in the greater Portland area. Since Metro is committed to taking action to dismantle racist systems, this is one of many necessary steps the agency can take to create more welcoming communities where Black, Indigenous and people of color in our region can benefit equitably from public investments.

The project process continues to center black folks’ voices and is dedicated to educating Metro staff involved through research, recorded trainings/talks and other information available to us. A comprehensive collection of facts related to the disparities across the criminal legal and prison systems can be found in [\*There’s overwhelming evidence that the criminal justice system is racist. Here’s the proof\*](#) published by the Washington Post. A selection of statistics are included below.



## Information about the criminal legal system and its impact on Black, Indigenous and other people of color

- The criminal legal system, at each point in the process from stops to arrests to convictions, discriminates against Black, Indigenous, and other people of color at alarming rates compared to white folks.
- A [large study](#) completed in 2020 of 95 million traffic stops in the US found that black people were much more likely to be pulled over than white people, and black drivers were also more likely to have their cars searched after a stop even though white drivers were more likely to be found with illicit drugs.
  - A [2019 study](#) in Portland reinforced this national trend, finding that black drivers and pedestrians were much more likely to be stopped, receive tickets and be arrested for drug possession than their white counterparts.
- Police use-of-force is also disproportionately used against Black people – a [2019 study](#) found that black men were 2.5 times more likely than white men to be killed by police.
- According to data published by the Department of Education, Black students in 2016 were nearly four times more likely to be suspended than white students. Disparate rates of school discipline can increase interactions with the criminal legal system and supports the school-to-prison pipeline that helps account for disparate rates of incarceration for Black Americans.

## Information about the carceral (prison) system and its impact on Black Indigenous and other people of color

- About 1.5 million people are now imprisoned in the United States, producing the highest rates of incarceration in the world. Since 1980, the number of people in U.S. federal, state or local prisons and jails has increased more than 450%. This number becomes exponentially bigger when considering the more than 7 million individuals under some form of correctional control in our nation (held, incarcerated, paroled, furloughed).
  - The United States has the highest incarceration rate in the world and the highest number of people behind bars, far higher than the rates of other heavily populated countries. As a result of the growth in prisons, the “punishment industry,” estimated at \$182 billion per year, has become a key contributor to the U.S economy – from private prisons that require investments, design, financing and new construction to build – to developers of new technologies used by law enforcement, all the way down to the phone cards sold at higher than market rates to inmates.
  - Businesses and public agencies directly benefit economically from the carceral system by tapping into prison labor since they can compensate workers at a rate far below that of the minimum wage.
  - More than 70% of people in prison are people of color. The imprisonment rate for African American women is twice that of white women. Although there is limited data about formerly incarcerated Native and Indigenous peoples, the 2010 Census data reveals that Native peoples are overrepresented in the criminal legal system and are incarcerated at a rate more than double that of white Americans. In states with large Native American populations, such as North Dakota and Oklahoma, incarceration rates of Native peoples can be up to seven times that of white populations.
-

## **POLICY CONTEXT – PLANS AND DEMANDS**

As national, local and internal calls for accountability continue, the project team continues to follow organizations and research that guide accountability and change. Below are demands and plans specific to Metro that call us into this work and demand a more safe community for Black and brown greater Portlanders and staff.

### **Reimagine Oregon**

A group of Black leader's came together in summer 2020 to work with elected officials to begin dismantling systemic racism in Oregon, recognizing that police violence is rooted in a web of oppressive systems, under-investment and inequitable access to resources, opportunity and stability.

Policy demands include specific actions among the following topic areas:

- Education
- Police divestments
- Housing
- Health & wellbeing
- Transportation
- Economic Development
- Community Safety
- Legislative process

Metro Council continues to engage, lead, and support the work of Reimagine Oregon, while delivering on our specific commitments.

### **Strategic Plan to Advance Racial Equity, Diversity and Inclusion**

Metro's own Strategic Plan to Advance Equity (SPAREDI) calls us into this space through the following goals:

- Goal B: Meaningfully engage communities of color. This means listening to and centering the voices of all marginalized communities and prioritizing their needs in our actions.
- Goal C: Metro hires, trains and promotes a racially diverse workforce. This means creating work places that feel welcoming and safe to Black and Indigenous staff and other staff of color.
- Goal D: Metro creates safe and welcoming services, programs and destinations. This means ensuring that Black, brown, queer, trans, femme, disabled and undocumented visitors and program participants feel safe and welcome and are free from harassment and discrimination.

### **Black Caucus & POC ERG**

In September 2020 the People of Color & Black Caucus employee resource groups (ERG) submitted a letter to Marissa Madrigal titled "Demands to address systemic racism and white supremacy at Metro".

These demands were based on a compilation of survey responses that the ERG received during the summer of 2020. Below are some of the demands from the letter:

- Metro needs to ban all contracts and procurement that exploit people experiencing incarceration. For current or potential contracts that include labor by people experiencing incarceration. Metro needs to either ensure workers are paid a living wage or cancel the contracts. The decision-making process to determine this action must include people experiencing incarceration who will be impacted by the decision. All product and capital procurement needs to be purchased from companies who pay their workers a living wage.
- Metro needs to change its policy on refusing to employ workers with criminal backgrounds.
  - Context: If a person is safe enough to work side by side with our employees as a temp, they are safe enough to become a Metro employee. Currently Metro refuses to employ some workers with criminal backgrounds even though they are already working side by side with Metro employees.
- Metro council should update code, administrative rules and all intergovernmental agreements requiring that police departments and government agencies working with them can no longer qualify for grant funds. These documents also need to be reviewed and updated to require that applicants must focus on projects that support the agency's DEL strategy and allocates resources towards those most vulnerable.
- Create a safe environment for Black staff and build better systems of accountability, reporting and repair to support employees experiencing harassment and reduce incidences of harassment.
- Metro needs to ban police from receiving any allocation of funding from grants, bonds, tax revenue, etc. that is intended to increase livability in our region.
  - Context: As an example, Oregon City recently awarded its police department \$25,000 to sweep people experiencing homelessness out of their city. Their funding comes from Metro's community enhancement grant program.

## **Committee on Racial Equity**

On June 18, 2020 Metro's Committee on Racial Equity (CORE) drafted and collectively signed a letter to Metro Council (Attachment C) calling on Council to advance safety and prosperity for the region's Black community by advancing the policy agendas set forth by Portland African American Leadership Forum (PAALF) and Unite Oregon. These agendas called for divestment in harmful systems, reinvestments in Black lives, and protection for BIPOC communities from violence.

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## PROJECT OVERVIEW

The project is working to document the agency's touch points with police, security, and our use of incarcerated labor, facilitate a path forward on addressing those touch points and create action plans to help guide the work.

### Project Goals & Outcomes

- **Completion of Reimagining Policing, Security and Incarcerated Labor Learning Cohort**  
The learning cohort created a space for participants to gain a deeper understanding of how the law enforcement and carceral systems connect with their work.
- **Internal assessment**  
The internal assessment will inventory Metro's touch points with Police, Security and Incarcerated Labor within the Parks and Nature, Waste Prevention and Environmental Services, Venues and Planning and Development departments. This will provide context that will guide the development of the department action plans.
- **Decision Making Framework working group**  
The Decision Making Framework working group, made up of staff with personal and/or professional experiences relevant to this work, will help set the vision and direction for the agency as we make decisions to address our touch points with police, security and incarcerated labor.
- **Department action plans**  
With direction from the Decision Making Framework working group, Policing Committee members will develop department specific action plans that address their departments touch points and goals to address those touch points that align with agency goals.
- **Coordinate a process for project transition to implementation**  
The project team is committed to a smooth transition as the work moves to the implementation phase of the actions plans. We will work to secure possible funding sources needed to implement this work.

### Project process to date

- **Developing Shared Learning and Shared Analysis**  
The shared learning and shared analysis project phase set the foundation for long term project success. During the winter/spring of 2021 the project leadership team led a 4-part learning cohort series that covered the basics of criminology, racial disparities across criminal justice and planted the seed for us to engage in this work. The cohort included staff that were supporting the work of the project. This series helped create a shared language and a shared analysis among participants. We have continued to engage with the cohort monthly to offer additional space to dive into these topics.
- **Development and workgroups**  
The project leadership team has convened two teams to support the success of the work. Those teams are the Policing Committee and the Decision Making Framework working group. Both teams support the project by guiding decisions and leading important bodies of work respectively. To date the team have completed the learning cohort and documented and analyzed their department specific internal assessments.

- **Completion of Internal Assessment**

Metro has many touch points with security, policing and the use of incarcerated labor. This project has inventoried touch points in the departments listed below and will begin to assess if there are alternative strategies to better reflect Metro's values and commitments.

- Parks and Nature
- Waste Prevention and Environmental Services
- Venues
- Planning and Development

**Additional outcomes and bodies of work**

- Security at Metro sites

Project team members have been working to reimagine what security looks like at the Metro Regional Center (MRC). The work includes re-evaluating the entrance of MRC to feel more welcoming to BIPOC staff, guests and community members and reworking existing security job descriptions that will take a trauma-informed approach to Metro's security needs.

- HR Background Check Policy

In an effort to dismantle systems of inequity, particularly inequity based on race, Metro changed its pre-employment background check process to no longer require criminal background checks for nearly 95% of positions that previously required one. Effective July 1st 2021, only 22 classifications will require enhanced checks. These positions includes positions that work directly with children and those that require a commercial driver's license (CDL) for their job.

- Metro Together

The project leadership team is supporting the Metro Together project by providing input around safety and security needs as it relates to protecting Metro staff and property.

- Hub for questions and strategic direction

The project has become a central hub for support across the agency. We have supported different departments with questions around security needs, surveillance and signage and support with recruitments.

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# APPENDIXES

## Shared understanding – Project Language

### **Policing**

Policing is a social relationship made up of a set of practices that are empowered by the state to enforce law and social control through the use of force. Reinforcing the oppressive social and economic relationships that have been central to the US throughout its history, the roots of policing in the United States are closely linked to the capture of people escaping slavery, and the enforcement of Black Codes. Similarly, police forces have been used to keep new immigrants “in line” and prevent the poor and working classes from making demands. As social conditions change, how policing is used to target poor people, people of color, immigrants, and others who do not conform on the street or in their homes also shifts. The choices policing requires about which people to target, what to target them for, and when to arrest and book them play a major role in who ultimately gets imprisoned.

### **Prison Industrial Complex**

The overlapping interests of government and industry that use surveillance, policing and imprisonment as solutions to economic, social and political problems.

### **Criminalization**

The process through which actions become illegal and people become labeled “criminal”. Entire groups of people and communities are criminalized when targeted by policing.

### **School to prison pipeline**

Policies that encourage police presence at schools, harsh tactics including physical restraint and punishments that result in suspensions and out-of-class time. When combined with zero-tolerance policies, a teacher’s decision to refer students for punishment can mean they are pushed out of the classroom and much more likely to be introduced into the criminal justice system.

### **Surveillance**

Surveillance is a rapidly proliferating set of practices that permits authorities and private citizens to collect, analyze and disseminate information through rapidly developing technological means. Few activities in our public or private lives are not affected in some way by surveillance, and it is arguably becoming the dominant regulatory technique in modern societies. Modern surveillance practices can be as overt as cameras and government-issued ID cards, or less visible forms such as credit scores, medical records, cell-phone meta-data, and Internet-connected household appliances. What they all have in common is they give groups and individuals the ability to use

the information they collect to intervene in and affect the lives of people in ways that can have critical implications for values for privacy and justice.

### **Nonviolent Community Safety**

Nonviolent Community Safety, essentially, brings peacebuilding approaches together with community development and social activism to form empowering, nonviolent community building approaches to creating safety in local communities.

Nonviolent Community Safety describes approaches to safety that are community initiated and controlled. It is much more of an 'opening-up' and community building process than the common 'lock-up' and isolating 'power-over' responses to safety that tend to dominate in our society. The annual "Reclaim The Night" marches, Aboriginal Night Patrols and the many Lesbian and Gay anti-violence street patrols are just some examples of nonviolent community safety initiatives.

### **Anti-blackness**

A two-part formation that both strips Blackness of value (dehumanizes), and systematically marginalizes Black people. Society often associates politically incorrect comments with the overt nature of anti-Blackness. Beneath this anti-Black racism is the covert structural and systemic racism which predetermines the socioeconomic status of Black people in this country and is held in place by anti-Black policies, institutions and ideologies.

Anti-Blackness is also the disregard for anti-Black institutions and policies. This disregard is the product of class, race, and/or gender privilege certain individuals experience due to anti-Black institutions and policies.

### **Slave Patrol:**

The origins of modern-day policing can be traced back to the "Slave Patrol." The earliest formal slave patrol was created in the Carolinas in the early 1700s with one mission: to establish a system of terror and squash slave uprisings with the capacity to pursue, apprehend, and return runaway slaves to their owners. Tactics included the use of excessive force to control and produce desired slave behavior.

Slave Patrols continued until the end of the Civil War and the passage of the 13th Amendment. Following the Civil War, during Reconstruction, slave patrols were replaced by militia-style groups who were empowered to control and deny access to equal rights to freed slaves. They relentlessly and systematically enforced Black Codes, strict local and state laws that regulated and restricted access to labor, wages, voting rights, and general freedoms for formerly enslaved people.

-NAACP – [The Origins of Modern Day Policing](#)

## **Project members**

Project members include Metro staff from across the agency:

### Project Leadership team members:

Punneh Abdolhosseini | Senior Solid Waste Planner, WPES

Loni Black | Associate Planner, Communications

Reed Brodersen | Senior Program Analyst, DEI

### Policing Committee team members:

Nick Brown | Security Manager, OCC

Holly Calhoun | Deputy Human Resource Director, HR

Rory Greenfield | MRC Campus Operations Manager

Matan Gold | Associate Planner, Communications

Gloria Pinzon | Senior Public Affairs Specialist, Communications

Joel Morton | Legal Counsel II, OMA

Lake McTighe | Senior Transportation Planner, Planning & Development

### Decision Making Framework Working Group Members:

Loni Black | Associate Planner, Communications (Chair)

Pilar Karlin | Intern, Council

Hila Ritter | Principle Solid Waste Planner, WPES

Russell Sanchez | Policy Advisor, DEI

Tara Miler | Program Manager, Parks and Nature

Ruby White | Program Manager, Parks and Nature



Materials following this page were distributed at the meeting.



Metro



# Metro Federal, State, and Tribal Government Affairs Agenda

October 26, 2021

# Why are we all here together?

- 1.) Ask for Council direction for all three agendas
- 2.) Show Council the scope of GAPD work
- 3.) Demonstrate coordinated approach for key priorities
- 4.) Emphasize government-to-government nature of all three agendas

# Federal Legislative Agenda

- Small refresh of February 2021 agenda
- Same three principles: what matters to Metro, where Metro has an impact, and where we can support our partners
- Will stand through the rest of this Congress (December 2022)

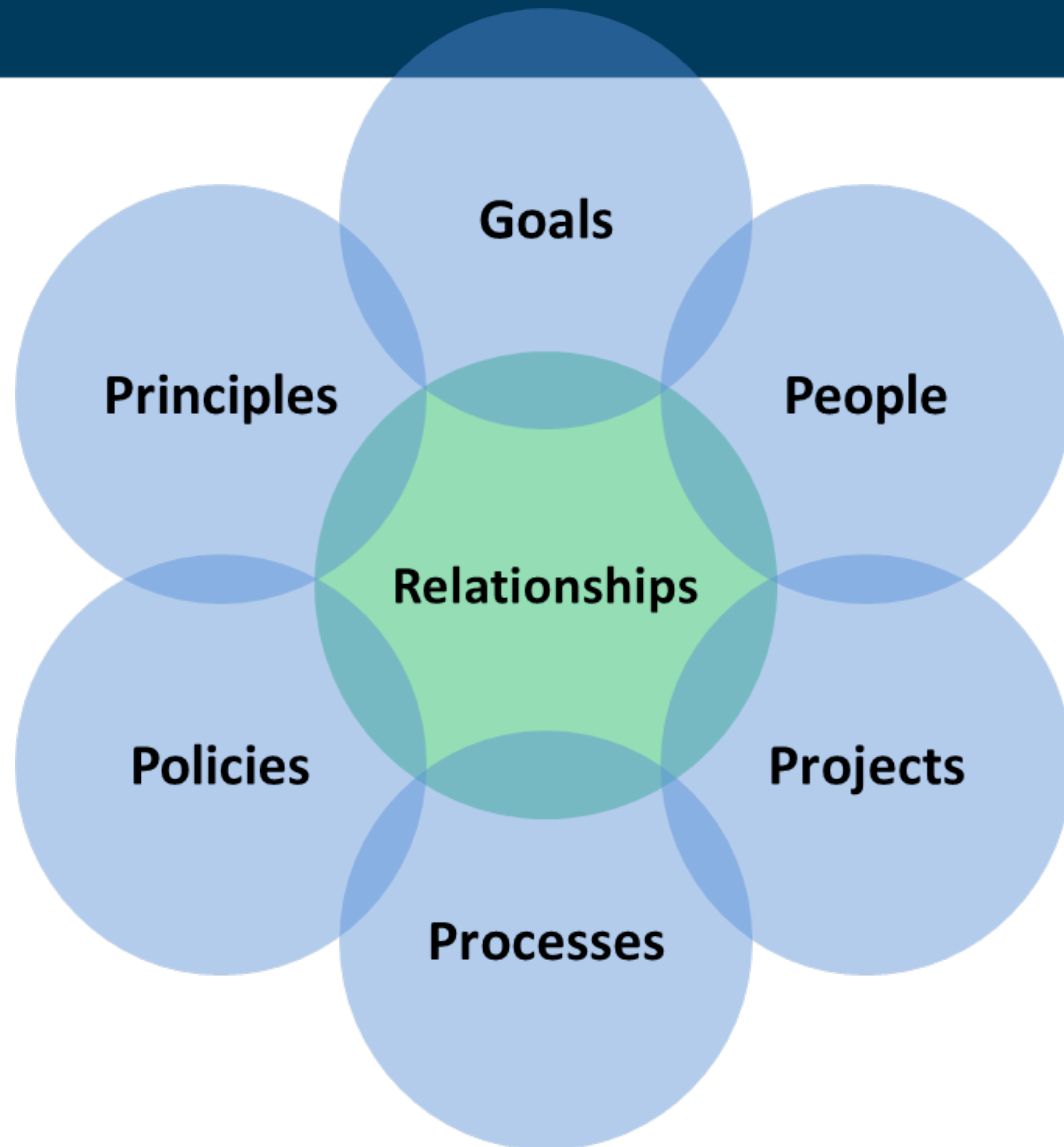
# State Legislative Agenda

- Highly partisan and political short session
- Tailored and focused agenda
- State Legislative Principles that guide Council priorities

# Tribal Affairs Agenda & Work Plan

- New program in GAPD, response to Council direction
- Government diplomacy and relations with sovereign Tribal Nations
- Work plan proposed for FY22-23
- Goals include *Building Relationships; Supporting and Respecting Tribal Sovereignty; Protecting Tribal Interests; Improving Metro's work; Increasing Public Awareness*

# Tribal Affairs Agenda & Work Plan



**oregonmetro.gov**

