



Downtown Public Safety Committee

Monday, May 13, 2013
1:00 – 3:00
Eugene Public Library, Singer Room

	<i>Time</i>
1. Welcome, Introductions and Minutes	1:00
2. Public Comments (3 minutes, either at beginning or end)	1:10
3. Review options	1:25
4. Determine what to present at public meeting (5/29)	2:30
5. Public Comments	2:45
6. Adjourn	3:00

Next Meeting
May 29, 2013 6:00, First Christian Church

Downtown Public Safety Committee
Monday, April 8, 2013
Eugene Public Library, Singer Room

Committee Minutes

The meeting convened at 12:00 and adjourned at 2:20.

Committee Members in Attendance – Beverlee Hughes – Chair, Toni Gyatso, David Mandelblatt, Paul Solomon, Doug Hooley, Karl Durr, Sarah Bennett, Wayne Allen, Dan Bryant; Staff, Carter Hawley

Absent members – Tamara Miller, Dave Hauser, Tina Guterrez Schmich, Walter Rosenthal, Liz Lohrke

Public Comments

Deb Frisch – Glad Exclusion Zone (DPSZ) sunset is nearing, as the DPSZ is unconstitutional. Concerned about mental health funding. One alternative to DPSZ is increasing local prosecution, and this is too costly.

Joe Tyndall – Handed out DVDs of previous meetings. Proposed alternative model for looking at various populations downtown. Handed out letter from Alley Valkyrie.

Carol Berg-Caldwell – Grateful for previous work, particularly comments from Judge Mori. Concerned about people who are arrested for criminal trespass. Likes option of wet housing.

Majeska Seese-Green – Encouraged broad definition of community, non-profits and security.

Meeting Introductions

Ms. Hughes asked everyone to introduce themselves, and revisited the list of proposals. Those members who were not present at the preceding meeting were asked to provide their comments.

Ms. Hughes asked everyone to review the list of proposals to see if there are any more ideas. No other ideas were added.

Judge Allen provided review of expanding the mental health court. He noted that the County has offered a reduced rate for the use of service. Given the budget constraints, it is unclear whether that discount rate is sustainable. He reported Judge Mori recommended that expansion should cover the people who are unable to appear at court, or unfit to proceed.

Ms. Gyatso will try to get information about what Bend does, because downtown does not have significant feeling of homelessness.

Dan Barkovic addressed the idea of adopting municipal codes. Class C felonies could be adopted as “attempt to”, as a Class A misdemeanor, moving jurisdiction from state to City. He believes that the District Attorney (DA) does not prosecute many Class C felonies. He reported

that the Prosecutor's Office does not have the capacity to take on any new cases. He believes the same is true for court staff and Public Defenders' Office. He said the Prosecutor's Office is busy because 1) University of Oregon Police Department (UOPD) is active and now citing more to municipal code 2) Oregon Liquor Control Commission (OLCC) is citing directly to municipal court 3) EPD is looking for misdemeanor charges for a case where felonies are not being prosecuted.

Mr. Barkovic said some liquor cases are UO related, but not all. He noted that officers would probably like an alternative to the felony drug charges which do not get prosecuted.

Ms. Bennett asked if the increase in caseload due to OLCC and UOPD cause shortage in response to downtown cases? Mr. Barkovic said it isn't a direct relationship.

Lt. Klinko provided recap of drug impact area. Portland identified specific areas, and specific drug offenses. If someone gets arrested for specific drug charge, the person cannot go into specified areas of town. Exclusion is post-conviction and it is a condition of probation. Drug treatment or transitional housing can also be provided.

Mr. Solomon suggested that even if DA was prosecuting these cases, people are often only held 4 hours.

In response to a question about Opportunity Village, Mr. Bryant responded that a pre-submittal meeting is scheduled with City. He reported that this is only for 30-40 people.

Ann Williams from St. Vincent de Paul reported on wet housing. People will focus on safety needs first, and only then can they focus on behavioral change. 40% of people who are chronically homeless have alcohol addiction. For Seattle, 220 chronically homeless cost the city of Seattle over \$8 million per year. Wet housing follows the Housing First model. People's housing needs are met, regardless of their consumption of alcohol. Then the residents can address other needs, such as substance abuse or mental health.

Mr. Bryant asked how Seattle or Portland fund operations and maintenance of wet housing. Ms. Williams reported that operations and maintenance would be approximately \$160,000 per year, for 12-15 people per year.

Jeff Petry reported on history of city public restrooms, including three open at three parking garages, plus other public restrooms throughout the community. It costs approximately \$100,000 per year for three public restrooms.

Mr. Mandelblatt asked about the use of portable restrooms. Mr. Petry provided some information about the city's experience using portable restrooms.

Chief Kerns reported when restroom facilities are provided, there is a benefit, but there can also be significant public safety issues created. He also noted that the city has a multi-million dollar gap between expenses and revenues.

Ms. Bennett spoke about creating more positive activity downtown. It's important because it's been identified by the City Council as a priority. Some ways to encourage this is public/private partnerships, encourage street-level activity, events like Art Walk, and Urban Renewal District.

Sarah Medary, Assistant City Manager, said that there is an increase of mixed use housing downtown that after this spring/summer will be opening. Mr. Mandelblatt asked what other events similar to the ArtWalk could be added.

DEI is working on a lighting project, a retailer strategy, possibly a wine walk,
Chief Kerns offered the ideas of a ban on smoking downtown or a ban of dogs downtown.

Final recommendations

The group discussed the various options and asked that additional information be brought forward on all options, including the following:

- Move offenses to municipal court
- Expand mental health court
- Wet housing
- Alternative sentencing
- Drug impact area
- Public restrooms
- More positive activity downtown
- Strengthen relationships between security and non-profits and mental health providers
- Smoking ban
- Dog ban

DRAFT
Alternatives to Downtown Public Safety Zone

Title	Description	Annual Cost	Benefits	Challenges	Impact **		
					MH	SA	Crim
Move offenses to municipal court	Adopt parallel municipal charges to existing felony charges that would shift authority, oversight and cost to city municipal court, city prosecutor, defense, and jail costs. A possible alternative would be to contract with the County to prosecute/incarcerate.	Depends on unique program	Increases municipal oversight and control over felony charges, currently processed through state/county. Increase likelihood of charges being filed that DA currently doesn't file Increases municipal judicial discretion over known defendants	Increase in oversight and control directly related to increase in city costs Limited capacity at court, prosecuting attorneys			
Expand mental health court	Increase people eligible for mental health court	Depends on unique program	Increases creative alternatives which tend to be lower cost and more effective than incarceration	With jail bed shortage, incarceration option is preferred.			
Wet housing	Provide housing to chronic inebriates to stabilize housing/security	12 Unit Dev&con \$1.3M Ongoing \$165K/yr	Safe secure housing to allow people to begin to address their secondary drug/mental health issues	Significant costs Low number of people			
Alternative sentencing	Provide alternatives to jail sentences	Depends on unique program					
Drug impact area	Increased enforcement, restricted access for certain drug offenses	Depends on unique program – PDX=\$250K	Can create program that focuses on specific drug offenses, and specific response	Costly, and may be dependent on jail bed capacity			
Public restrooms - Portable	Increase number of portable restrooms available. Serviced weekly.	Regular Unit - \$1,014 Handicap Unit - \$1,698 Service call starting rate - \$25	Provides alternative to public urination/defecation. Relatively low cost	Criminal behavior in/around portable restrooms, resulting in complaints Vandalism resulting in increased costs for call outs or damages			

Title	Description	Annual Cost	Benefits	Challenges	Impact **		
					MH	SA	Crim
Public restrooms-Permanent	Increase number of permanent restrooms, beyond the four existing restrooms in the city-owned parking structures.	Depends on #/location	Permanent	Initial and ongoing costs Criminal behavior in and around restrooms			
More positive activity downtown	Increase activities downtown to increase visitors and foot traffic	Depends on unique program	Potentially low cost	Indirect benefit			
Strengthen relationships (non-profit, mental health, security)	Strengthen relationships between non-profit providers, mental health providers and security	Depends on unique program	Low outlay Higher staff/labor expenses	Indirect benefit			
Smoking ban	Ban smoking in certain areas downtown	Limited costs, related to adopting legislation, and possible enforcement costs	Public health benefits Limited costs	Does not discriminate between people downtown who smoke who are repeat criminal offenders and other people who smoke.			
Prohibition on dogs	Implement similar ban of dogs at 13 th & Alder.	Limited costs, related to adopting legislation, and possible enforcement costs	Reduces canine congestion downtown	Does not discriminate between people downtown with dogs who are repeat criminal offenders and other people with dogs.			

****Impact**

Does this option have a positive impact to reduce the repeat criminal behavior resulting in increased safety or perception of safety in the downtown area? Population broken down by those primarily having mental health (MH) issues, substance abuse (SA) issues, or criminal behavior (Crim), excluding those with mental health or substance abuse issues.

Information from Bend Oregon

Below is the information I was able to obtain from Bend Police and the Bend Downtown Association. From below you will see that Bend has a Downtown exclusion zone; however, it is rarely used and only applies to community members who chronically create problems in the area. I also noted other tools Bend has used to create a safe and welcoming downtown.

Steve Esselstyn, Bend Police Department:

Bend has an exclusion zone since 2006

- Only issued to those that are chronic offenders
- Have two areas and have to stay 500 feet away
- Exclusions are 90 days to 1 year

Other avenues Bend has enacted that have proven positive:

- Require promoters to higher police at downtown events
- Have a lot of fun family friendly events in downtown area:
 - Art walk
 - Music
 - Schools do a 5 minute “mob” dance
 - All downtown events are free
 - Use plaza spaces for entertainments
 - 3 big events in the year the close the downtown streets:
 - Spring Festival
 - Summer Festival
 - Fall Festival
- Changing the downtown area was a 1-2 year progress project
 - City Council input is extremely important
 - Having them be seen and heard by the community
- Bend Parks and Recreation has a dedicated Parks Officers that are assigned to the parks as their specific role to police

Chuck Arnold, Bend Downtown Association:

- Bend’s exclusion zone is rarely used. Often he has to ask for it and point it out the need.
- It is important not to target those that are loitering or asking for money; but those that are abusive or breaking the law
- Positive activity pushes out the negative activity
- Finding new ways to use positive activity whenever possible.
 - Example: they have a plaza that has started to be a place for drug exchanges and other criminal activity. They have leased it to a business that is creating an evening Martini Bar in the plaza.
- Letting business owners know that they cannot just push the homeless community out of the area because they are loitering or panhandling.
 - Provide the homeless community with a sheet of resources that can help them is a great tool.
 - Have someone from the service industry do this as it will be more accepted than coming from the PD, a business owner, or downtown association.

← Back to Original Article

Portland Loo, a public toilet that skips to the head of its class

The Oregon city has successfully tackled several urban issues with its solar-powered, not-that-private public toilets. Now other cities smell a winner.

August 29, 2012 | By Kim Murphy, Los Angeles Times

PORTLAND, Ore. — Pity the lowly public toilet, a redolent reminder of the failure of the best minds in urban planning to address the most fundamental of daily necessities.

Millions have been invested in the facilities for collective relief. Often, they have become targets for graffiti, trash-can fires, furtive needle activity, commercial lovemaking, emergency baths, laundries for the homeless, and repositories of castoff diapers.

Go to any city in America and ask whether it has fixed the public toilet problem, and most any city in America will hold its nose.

Except Portland.

Here, where just about everything is greener, hipper and more carbon-neutral, it was only a matter of time before someone came up with a sustainable urban toilet. It's called the Portland Loo, and it may be the first toilet so popular it has its own Facebook page.

The solar-powered, 6-by-10 1/2-foot street-corner cabin, ingeniously stripped of much of its plumbing and privacy, has been installed at six locations around Portland, from the city's dodgiest centers for the homeless to an upscale waterfront where stay-at-home moms take their children to play.

So well has it eased into the urban landscape that Portland is looking to build and market Loos across the continent, hoping the profits will allow for the construction and maintenance of more at home. San Diego, Vancouver, Houston, Baltimore and Seattle all have expressed interest. The first official export was installed in Victoria, British Columbia, in November.

"I'm convinced Portland is the only city in the U.S., and maybe the world, that celebrates the opening of bathrooms," City Commissioner Randy Leonard said at the dedication ceremony for the city's fifth Loo, as students from a nearby school, whose art adorns the exterior wall, sang "Skip to My Lou."

"We get calls all the time," said project spokeswoman Anne Hill. "There's a proven track record here: It's in, and it's working. And there is no other solution out there that's been successful."

Portland officials say the Loos buck many of the conventions of public toilets: They are not installed in out-of-the-way spots where no one will see them. Rather, most are placed along sidewalks in full public view.

They are not self-cleaning, but are made of prison-grade steel with plumbing so basic that they are almost impossible to damage, and a twice-a-day check by maintenance staff seems to keep them in good working order.

The only water faucet is on the outside, making customers less likely to linger for hair-washing or laundry.

Perhaps most important, they aren't all that private. Louvered slats from foot level to knee level and again just above head level make activity inside somewhat visible, and audible, to passersby.

"We can see your trunk, but not your junk," the Portland Loo Facebook page posted recently, adding, "Bwahahaha."

"As you approach a Loo, you can see what's happening inside," Hill said. "If it's 2 in the morning and there's two sets of feet in the Loo, law enforcement has cause to knock on the door and say, 'Why are there two sets of feet in the Loo? Two of those feet need to come out.'"

To enter the Portland Loo with a mission in mind is to understand the Zen of utilitarian human biology. Function is all. There are no mirrors, no lavender sachets, no paper towel holders, no sink. Just four walls, a small dispenser of hand sanitizer and the reason you came: the steel, prison-grade toilet. The sounds of people chatting and laughing outside waft in disconcertingly between the slats. One feels the urge to act quickly and quietly, and move on.

The project was the brainchild of Leonard, who watched several years ago as former Mayor Tom Potter championed the idea of spending \$200,000 a year to keep a restroom in City Hall open overnight to service the city's homeless.

The problem, as Leonard saw it, was that most of the homeless hung out in Old Town, a mile away. Who, he wondered, was going to walk two miles round-trip to use the bathroom?

Leonard sat down at a table with the city's Central Precinct police captain and a community activist from what would become the citizens group PHLUSH, or Public Hygiene Lets Us Stay Human. They pored over designs from other cities, especially in Europe, and architectural designer Curtis Banger came up with a peekaboo toilet powered by two solar panels on the roof and with graffiti-washable panels. The cost:

\$60,000 to install plus \$1,200 a month to maintain.

The first installation, in December 2008, was near the Greyhound bus station in the Old Town-Chinatown area, or as Leonard puts it, "ground zero for homelessness in Portland." The sixth, near the Portland Art Museum and Portland State University, opened this month.

City officials in Los Angeles and San Francisco say they are generally happy with the automated, self-cleaning toilets provided under contract with the French company JCDecaux, which installs and maintains them in exchange for advertising rights.

But some cities have had problems with trash building up and rendering the self-cleaning mechanisms useless. The units can also be magnets for prostitution and drug use.

"Paris never smelled like this," San Francisco Chronicle columnist C.W. Nevius complained last year of the city's 25 automated, self-cleaning toilets, suggesting the city think about the Portland Loo when the contract comes up for renewal in 2015.

Lance Oishi of the Los Angeles Bureau of Street Services said officials had to shut down one of the city's 15 public toilets, near skid row, when a pimp set up shop there. But since the suspect's arrest, the unit is heading back toward normal operations. He said hygiene complaints had been alleviated by requiring the contractor to visit each toilet at least twice a day.

Meanwhile, downtown San Diego is relying on 10 public restrooms — only two of them open all night — and a handful of portable toilets. The city is hoping that redevelopment funds will come through to buy four Portland Loos, a purchase initially authorized by the City Council in 2010 but delayed by California's continuing public budget troubles.

Rachel Jensen, co-founder of the San Diego homeless advocacy group Girls Think Tank, which has pushed for the Loos, said the decision was reached after activists and city leaders met with homeless representatives and realized the urgency of the sanitation issue.

"We took a poll. Essentially we asked, what are the most pressing issues facing the homeless community that we should act on here? And they said bathrooms," Jensen said.

"For a population that is by definition not housed, we thought the first priority would be housing, and it wasn't," she said. "They said, 'Until we have somewhere to go to the bathroom, we're not even human. We're like animals.'"

Portland's Loo hasn't been without controversy. Residents near Jamison Square Park fought bitterly against the toilet there until it went in, after which opposition seemed to melt away. A group of conservative taxpayers this year filed suit against the city, arguing that the toilets were costing more than the city claims and that city water funds aren't meant to be spent on an international toilet marketing campaign.

PHLUSH co-founder Carol McCreary, on the other hand, says the city hasn't built enough new Loos. She says it's also time for Portland to venture further: The group is encouraging city officials to look at comfort stations in La Jolla and Venice Beach that feature private cabins and unisex outdoor hand-washing facilities.

The idea is to move past the traditional, multi-stall concept of men's and women's rooms, which often leave women waiting in line, fathers confused about where to take their young daughters and transgender people simply nervous.

"When I was a kid, men and women didn't go to the same hairdresser or the same gym. But that's all changed. We think most Americans would be quite comfortable washing their hands, even grooming, next to a person of the opposite sex," McCreary said. "Why not?"

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Murphy was recently on assignment in Portland.