

RESOLUTION No.

Affirm the rights of members of the press and legal observers covering the protests against police brutality (Resolution)

WHEREAS, freedom of the press is a hallmark of a healthy democracy and protected by the First Amendment of the U.S. Constitution;

WHEREAS, a free press is a public benefit that provides critical information and acts as a safeguard against abuses of power by the government;

WHEREAS, there have been serious allegations made that identified members of the press and legal observers have been targeted by law enforcement in the protests against the death of George Floyd and police brutality;

WHEREAS, there have been serious allegations made that tear gas, pepper spray, excessive force, calls to disperse, and arrest have been used to prevent the press from documenting the actions of officers and protesters;

WHEREAS, these alleged tactics may serve to intimidate and discourage a free press from performing both their right and job responsibilities to observe these events and report them to the public;

WHEREAS, the reported law enforcement actions against journalists and other members of the press across the country appear to have become increasingly authoritarian, and mirror events in other countries that this country has historically denounced;

WHEREAS, The Guardian reports that there were 148 known arrests or attacks on journalists in the US between May 26th and June 2nd, 2020, and the true total is likely higher;

WHEREAS, a federal judge entered a Stipulated Preliminary Injunction on July 16th, 2020, that local law enforcement officers may not arrest, threaten to arrest, or use physical force against journalists and legal observers unless police have reasonable suspicion that such a person has committed a crime;

WHEREAS, targeting the press and legal observers is not compatible with American democracy;

WHEREAS, Portland supports democracy and opposes authoritarianism;

WHEREAS, on June 17, 2020, Mayor Wheeler and Chief Lovell directed Portland Police Bureau staff not to target journalists who are otherwise not committing a crime;

WHEREAS, the Portland Police Bureau exists for the protection of Portland residents and is fully accountable to the elected City Council, as specified in Portland City Code 3.20.020: "...all the powers of the City connected with and incident to the appointment, discipline, and government of its police shall be vested in the Council, except as otherwise provided by Charter.

NOW, THEREFORE, BE IT RESOLVED, that the City of Portland condemns any intentional targeting of the press and legal observers, who are otherwise engaging in lawful conduct, and have the right to document police conduct during the protest under the Court's July 16th Stipulated Preliminary Injunction; and

BE IT FURTHER RESOLVED, that the City of Portland hereby affirms that local law enforcement officers are prevented from arresting or using physical force against members of the press and legal observers who are otherwise engaging in lawful conduct as provided by the Court's July 16th Stipulated Preliminary Injunction;

BE IT FURTHER RESOLVED, that any member of the Portland Police Bureau who intentionally targets a member of the press during demonstrations in violation of the Court's July 16th Stipulated Preliminary Injunction will be subject to discipline for violating the policies of the elected City Council;

BE IT FURTHER RESOLVED, that these Council policies shall remain in place for the duration of the Court's July 16th Stipulated Preliminary Injunction.

Adopted by the Council:

Commissioner Chloe Eudaly
Prepared by: Hannah Holloway
Date Prepared: 7/21/2020

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy