



OFFICE OF MAYOR
TED WHEELER

City of Portland

IN THE MATTER OF THE) Emergency Declaration to Address Gun
LOCAL EMERGENCY) Violence by Expediting
WITHIN THE CITY OF PORTLAND) Implementation of Preventative and
DECLARED ON JANUARY 18, 2023) Responsive Measures for Individuals
and Neighborhoods at Greatest Risk of
Being Impacted by Gun Violence

WHEREAS, gun violence has reached historic levels in the United States and in the City of Portland; and

WHEREAS, From January 1, 2022 to June 30, 2022, there were 673 shooting incidents in the City of Portland; and

WHEREAS, this number represents an increase of 238.2% from the same months in 2019; and

WHEREAS, Portland has seen 44 gun-related homicides as of July 18, 2022; and

WHEREAS, each of these gun violence victims leaves behind loved ones whose lives are forever changed by the violence inflicted; and

WHEREAS, the impact of gun violence is also felt deeply by the broader Portland community as the number of shootings and inherent danger increases across the City; and

WHEREAS, in recent years the City of Portland has engaged subject matter experts to collect and analyze data about gun violence in Portland to inform the City's ability to combat gun violence; and

WHEREAS, that research demonstrates that Portland’s gun homicides and shootings generally fall within either group/network involved gun homicides and shootings driven by high-risk social networks, and non-network involved homicides; and

WHEREAS, this new research shows that the majority of gun homicides and shootings in Portland are related to group/network involved individuals; and

WHEREAS, gun violence primarily affects justice system-involved adults in Portland, the majority of whom are between the ages of 18 and 44; and

WHEREAS, gun homicides in Portland are represented by non-group/network dynamics and include those related to disputes regarding drug sales, money owed, robberies, and individuals who are transient; and

WHEREAS, some gun homicides and gun shootings of all types cluster in geographic locations, known as gun violence hot spots; and

WHEREAS, based on this data and substantial research regarding gun violence prevention efforts in other cities, a strategic plan has been completed and entitled Safer Summer PDX 2022; and

WHEREAS, Safer Summer PDX 2022 represents a plan to expand Community Violence Interventions (CVI) to deliver services to individuals at highest risk of perpetrating or being victimized by gun violence; and

WHEREAS, the decentralized organizational structure of the City of Portland government hinders City programs and services’ ability to effectively and efficiently coordinate services to find creative and effective solutions to violence in our communities; and

WHEREAS, to address the rise in gun violence, the City of Portland must adapt its bureau structure to maximize results from its limited resources to provide proactive and responsive services under a coordinated emergency incident command structure; and

WHEREAS, Safer Summer PDX 2022 creates a coordinated structure through which City bureaus can maximize resources aimed at reducing gun violence more effectively with community partners such as County agencies and community-based organizations; and

WHEREAS, pursuant to the Portland City Charter Section 2-302, the Mayor is authorized to assign and reassign bureaus and liaison responsibilities during non-emergencies including assigning City bureaus to the administration under the Mayor as the commissioner-in-charge; and

WHEREAS, under Portland City Code Chapter 15.08, the Mayor has authority to centralize control and authority over all bureaus, departments and other offices and vest power in the Mayor upon declaration of a State of Emergency; and

WHEREAS, pursuant to Portland City Code Chapter 15.08.020, with a State of Emergency Declaration, the Mayor is authorized to direct the coordination of the City's resources, including its programs and personnel, to work collaboratively under a centralized manager who serves as the designee of the Mayor; and

WHEREAS, pursuant to Portland City Code Chapter 15.08.20(11), the Mayor is authorized to hire staff and contractors in an expedited manner as may be necessary to protect the life, safety and health of persons, property or the environment; and

WHEREAS, along with funds approved by Council for special projects, the City bureaus and programs will continue to use their own funds, where appropriate, to expand and provide services toward gun violence prevention and responsive efforts to ensure efficiency and avoid unnecessary waste.

THEREFORE, pursuant to my authority under the Portland City Charter, City Code, and any other applicable law, I hereby Order as follows:

1. **State of Emergency.** A State of Emergency exists throughout the entire City of Portland under Portland City Code Section 15.04 to decrease human suffering and prevent loss of life and injury to people and to centralize City responses and services to address this emergency.
2. **Centralization of City Programs.** Pursuant to the authority of PCC 15.08.020 during a State of Emergency, and notwithstanding the Mayor's Executive Order directing the assignment of City bureaus and departments to specific commissioners, City bureaus and programs with functions and tasks that are within the functionality and goals of Safer Summer PDX 2022 in addressing gun violence will be under the Mayor's authority for purposes of expediting the implementation of Safer Summer PDX 2022. Personnel in the relevant City bureaus and programs will have their work and assignments relating to gun violence be reprioritized by the Mayor's Designee, for example:
 - Portland Bureau of Transportation, to help address gun violence hot spots in the public right-of-way, including but not limited to and in coordination with the Commissioner-in-Charge, expedited permitting for community events identified by the Incident Commander related to gun violence, place-based interventions like modification of traffic flow, and increased lighting in areas within PBOT's control.
 - Portland Parks and Recreation, as to management of parks, including but not limited to and in coordination with the Commissioner-in-Charge expedited permitting for community and Parks events identified by the

Incident Commander related to gun violence, park staffing, and hours of operation.

- Portland Bureau of Emergency Management, as to its emergency role as emergency coordinating center and command support.
 - Office of Management and Finance, as to:
 - Community Safety Division (CSD) to spearhead efforts to address gun violence, particularly in the summer months, including the ability to execute contracts with the authority under PCC 5.33.135 and grants as the Mayor's designee; and
 - Procurement Services to provide dedicated and expedited support for the efforts of Safer Summer PDX 2022; and
 - Grants Management to provide dedicated and expedited support for the efforts of Safer Summer PDX 2022.
 - Office of the City Attorney as to designating an attorney to serve as Legal Review Counsel to the Safer Summer PDX 2022 Incident Commander on the implementation and work of Safer Summer PDX 2022. This will include ensuring compliance with important constitutional, regulatory, and confidentiality protections related to the efforts of Safer Summer PDX 2022.
 - Portland Police Bureau, as to making community resource referrals for individuals most at risk of victimization and/or perpetration of gun violence, and the work of the Focused Intervention Team, the Enhanced Community Safety Team, and other units tasked with responding to, investigating and addressing gun violence. This centralization does not modify any agreements, directives or other legal requirements, which will continue to apply.
 - Procurement Services, as to streamlining contracts, materials, and other services necessary to meet community cleanliness standards.
3. Except for the programs specified above and others as needed as being assigned under the centralized direction of the Mayor's designee, the Bureaus remain assigned to the previously identified commissioner for all other administrative purposes pursuant to the Mayor's existing Executive Orders assigning bureaus.
4. This Emergency Order does not change the employment status of City employees directed to perform work for Safer Summer PDX 2022; and employees assigned to perform work for Safer Summer PDX 2022 shall perform the same type of duties as listed in their classification specification; additionally, assigned employee shall remain under their existing supervision

and management for all purposes other than receiving direction by the Mayor or designee for work related to Safer Summer PDX 2022.

5. Safer Summer PDX 2022 will coordinate relevant City services to combine resources and personnel necessary to address gun violence through a variety of approaches, including outreach to individuals most at risk of being victimized by or perpetrating gun violence, procurement of services and issuance of grants to aid in the prevention of and response to gun violence.
6. Safer Summer PDX 2022 is a living document intended to be adaptable to the needs of the community and the demands of addressing gun violence. This plan will continue to be reviewed and refined with feedback received from the public, Council offices, and other partners. When necessary, this Emergency Declaration may be amended to reflect substantive changes to Safer Summer PDX.
7. **Mayor's Designee.** To effectively coordinate the work of Safer Summer PDX 2022, the City's Community Safety Transition Director shall serve as the Mayor's designee. Each commissioner and bureau director shall cooperate and support the Mayor's designee in the centralization of City resources and efforts. In addition to other priority tasks, the Mayor's designee will undertake:
 - Collaborate with bureaus that work under the Safer Summer PDX 2022 plan and command structure.
 - Coordinate the City's efforts to prevent and respond to gun violence, excluding the investigation of gun-related crime.
 - Coordinate with government and nonprofit partners to endeavor to provide services offered to persons at risk of being victimized by or perpetrating gun violence, including but not limited to referrals for services tailored to individual needs, and support of a wide range of community efforts intended to interrupt gun violence.
 - Delegate authority to the Chief Procurement Officer under PCC 5.33.135 to award Emergency Procurement Contracts without competition for the acquisition of goods, services, construction services, and public improvements for the purpose of responding to this Emergency Declaration. Notwithstanding the conditions and limitations of Subsections PCC 5.33.130 E. and PCC 5.33.130 F., the Chief Procurement Officer may award, execute, amend, and terminate Emergency Procurement Contracts for goods, services, construction services, and public improvements that do not exceed \$5,000,000 for the purpose of responding to this Emergency Declaration. Authorize the Chief Procurement Officer under PCC 5.33.060 to award grants not to exceed \$1,000,000 when the proposed grant is included within the current fiscal year budget, for the purpose of responding to this Emergency Declaration. Amendments to grants that increase the grant amount may occur only

when the additional amount is included within the current fiscal year budget or as otherwise adopted by the City Council by ordinance.

8. The Bureau of Human Resources is directed to work with the Mayor's designee to expedite hiring of personnel in support of the work of Safer Summer PDX 2022.
9. The City Budget Office is directed to assist Safer Summer PDX 2022 to prioritize allocation of resources in support of its work, including supporting budget adjustments or identifying alternate funding resources.

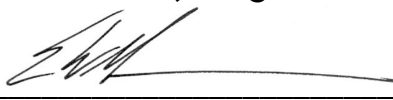
10. Other Provisions.

- a. In addition to any other power that may lawfully be exercised by local government, the powers listed in PCC 15.08.020.B are vested in the Mayor.
- b. This State of Emergency shall remain in effect through 5:00 p.m. on February 1, 2023, unless otherwise extended, modified, or terminated.

11. Severability: If any provision of the Declaration of Emergency, or any Emergency Orders, directives, commands, or other orders issued under the authority of the Declaration, or their application to any person or circumstance is held to be invalid, then the remainder of the duly exercised authority, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of the Declaration of Emergency, or any Emergency Orders, directives, commands, or other orders issued under the authority of the Declaration, are severable.

IT IS SO ORDERED:

**Dated this 18th day of January 2023
City of Portland, Oregon**

By: 

Ted Wheeler, Mayor

APPROVED AS TO FORM:

Robert Taylor, City Attorney
For Portland, Oregon