



CITY OF  
**PORTLAND, OREGON**  
OFFICE OF THE CITY ATTORNEY

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August 15, 2018

*Via US Mail and Email*

SEAN J. RIDDELL P.C.  
1300 SE STARK STREET STE 208  
PORTLAND OR 97214

Re: Occupy ICE Protest

Dear Mr. Riddell:

I have been asked to respond to your letter of August 8, 2018, to Mayor Wheeler. Please be advised that the City and the Mayor are represented parties for purposes of any claims or potential litigation relating to the ICE protests referenced in your letter. Accordingly, please direct all future communications regarding this matter to my office.

With regard to the matters asserted in your letter, the City does not have an “Imminent Threat Policy” and frankly does not even know what is meant by that term.

The City and Mayor reject the notion that the City failed to fulfill any duty owed to members of the National ICE Council. The Portland Police Bureau responded to numerous calls for assistance related to or in the vicinity of the ICE facility during the protests you reference. PPB also communicated with federal law enforcement officers (who were present at the facility to address other issues related to non-violent protest activity) and unequivocally informed those federal officers that PPB would respond to emergency calls for assistance. In fact, on at least one occasion, federal officers explicitly told PPB it should not respond to a call of an individual with a knife, as federal officers had the situation under control.

The City and the Mayor are committed to the safety of ALL people in the City, including ICE Council members (as well as documented and undocumented immigrants). The City and the Mayor are also committed to protecting property rights and the right of the public to peaceably assemble and exercise their First Amendment rights. The City (through its Police Chief and command staff and under the policy direction of the Mayor) necessarily needs to exercise discretion in determining how to allocate law enforcement resources in the face of non-violent demonstrations, including non-violent civil disobedience.

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Finally, to the extent that your clients suffered any damages of the type referenced in your letter, those damages were caused by the independent acts of third parties, not the City of Portland. The City rejects the notion that it violated any of your clients' rights and accordingly does not intend to propose a counter offer.

Please be assured that the City and the Mayor remain committed to your clients' safety. PPB will respond if their safety is threatened by illegal activity.

Best regards,



Tracy Reeve  
City Attorney

TPR/cj

c: Mayor Wheeler  
Chief Outlaw