



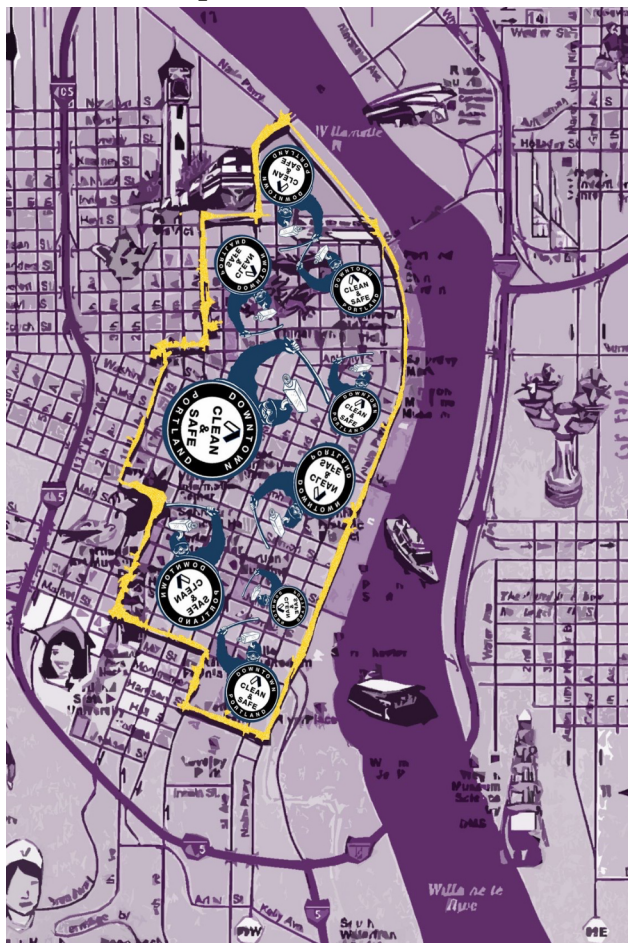
Dirty and Dangerous: The Story of Clean & Safe

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Clean & Safe is one of Portland's three Enhanced Services Districts (ESDs). ESDs are Portland's version of what are commonly known as Business Improvement Districts (BIDs) in other cities.

Clean & Safe is the oldest and largest ESD in Portland, encompassing 213 blocks of downtown and Old Town. They receive \$5m annually through ESD property management license fees collected by the City and distributed to Portland Business Alliance who manages the ESD. The vast majority of funds go to private security, extra Portland Police officers (who are managed by the private security company) and contr



Clean & Safe formed in 1988 during the rise of neoliberalism, when public space services increasingly became privatized. It formed as response to the growing number of unhoused people in downtown and is still used today to push homeless people out of public space. #EndCleanandSafe

Table of Contents

Build up to Clean & Safe 1968-1988

Page 4

Early days of Clean & Safe 1988-2000

Page 6

Birth of Portland Business Alliance 2000-2011

Page 10

Past Ten Years 2011-2021

Page 13

Build up to Clean & Safe 1968-1988

In the 1960s and leading into the 1980s, downtown Portland began to see an increase of homelessness and “nuisance crimes”, which many business owners attributed to budget cuts that reduced police presence in downtown corridors. Many business owners believed downtown was no longer appealing to customers. These growing frustrations led downtown business leaders to propose what they saw as a solution to these problems.

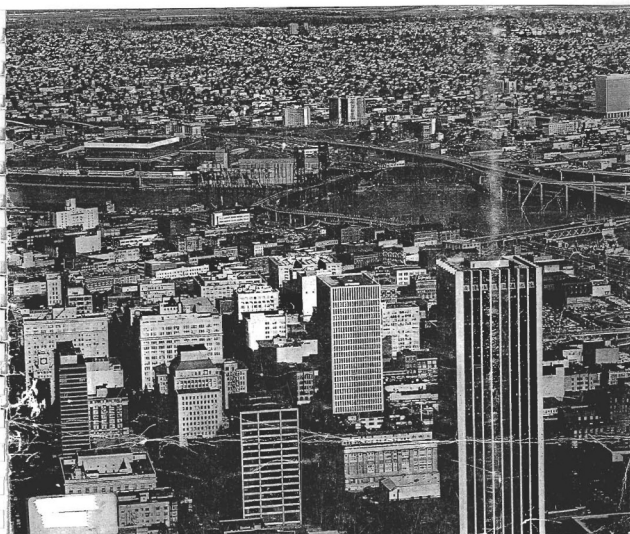
In 1968 a group of downtown business executives formed the Portland Improvement Corporation (PIC) in response to what they perceived to be continued economic decline in downtown Portland. One business leader decried downtown as “becoming poor, unattractive and dull”. They were concerned that many affluent residents were fleeing downtown for the suburbs and sought to revitalize the downtown core. For these reasons, PIC drafted and lobbied for the Downtown Plan, which proposed a series of programs to address the perceived “negative image” of downtown Portland (i.e. poor and homeless people).

The Downtown Plan was supported by The City of Portland, in particular, Mayor Neil

Goldschmidt. Soon after, a Mayor’s Citizens Advisory Committee was formed to develop the plan.

The plan was officially implemented in 1972, becoming the

1972 Downtown Plan



“standard by which the City Planning Commission and City Council [could] judge proposals for both public and private development in Downtown Portland”.

The plan aimed to eliminate low level crime, physical decay, and homelessness in the downtown core. They aimed to do this through an economic improvement district (EID) in order to hire private security who would work closely with Portland Police.

By the late 1970s, downtown business leaders felt their plan wasn’t going anywhere so they decided to create a downtown chamber of commerce to help lobby for the plan. Downtown

businesses were losing political clout when up against powerful neighborhood associations. They also felt the regional chamber of commerce, Portland Chamber of Commerce (PCC), was not meeting downtown's needs.

Businesses asserted every downtown needs a public-private downtown management association to function effectively. They felt that institutionalizing public-private management of downtown would help downtown businesses regain political clout, compete with suburbs, and to facilitate the ability to sweep homelessness and poverty out of sight. The creation of a downtown chamber of commerce was their first step in making this reality.

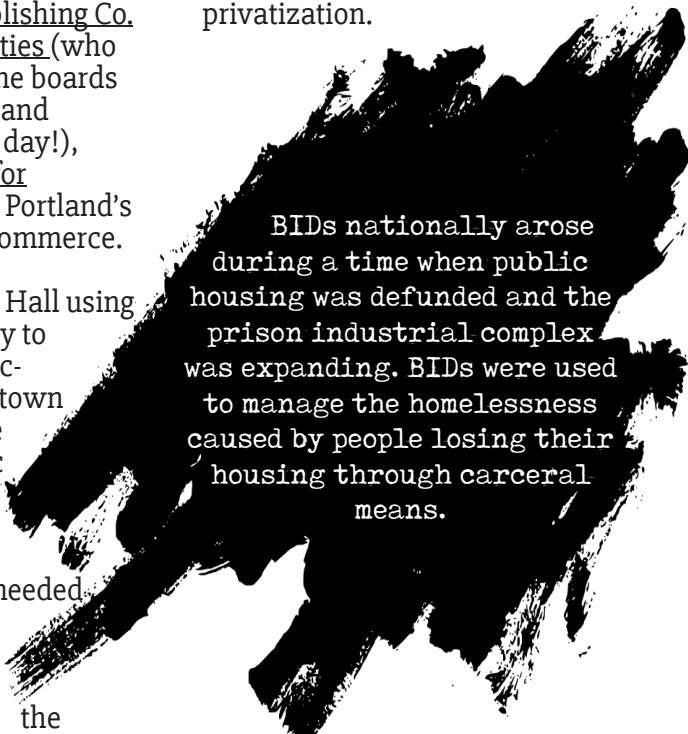
In 1979, downtown businesses, including Oregonian Publishing Co. and Melvin Mark Properties (who are still represented on the boards of Clean & Safe and Portland Business Alliance to this day!), created the Association for Portland Progress (APP), Portland's downtown chamber of commerce.

APP began lobbying City Hall using broken windows ideology to receive funding for public-private services in downtown Portland, such as private security patrols in public space. By the 1980s, APP wanted to expand its lobbying and private services downtown but needed funds to do so. Mayor Goldschmidt had suggested they manage parking garages and use the funds for services.

They were successful in this endeavor and were soon on their way to managing parking garages in downtown, using the money collected to create a retail promotion program, put up holiday lighting, and develop the Pioneer Square urban renewal project in collaboration with the Portland Development Commission (now Prosper Portland).

However, this wasn't enough for APP and they sought to implement the central component of the Downtown Plan, the EID.

To do this, they would need to establish a legal framework. This framework would come to fruition via the Oregon Legislature in 1985. The passage of this legislation came at a time of increased neoliberal pressure and Reagan era privatization.



BIDs nationally arose during a time when public housing was defunded and the prison industrial complex was expanding. BIDs were used to manage the homelessness caused by people losing their housing through carceral means.

Equipped with enabling legislation for EIDs in Oregon, APP's next step was to enshrine the proposed downtown EID through city code. In 1987, APP set up the Downtown Economic Improvement Committee to discuss implementing an EID.

The committee included the APP president Ruth Scott as chair of committee. Ruth Scott was previously with organizations that advocated for EIDs including the Oregon Downtown Development Association and the International Downtown Association.

The committee also included several of the downtown businesses including PGE, Nordstrom's, and others who helped create both the Downtown Plan and APP.

It didn't take long for the committee to decide they wanted an EID in downtown Portland. They successfully lobbied City Hall to adopt the Economic Improvement District Plan, using the legal framework from the Oregon Legislature and with a feasibility study conducted by their committee. The plan was supported by Mayor Frank Ivancie, several city commissioners, and the Chief Financial Officer. City Council passed an ordinance establishing procedures to implement an EID in Portland on March 9, 1988, paving the way for what would eventually become Clean & Safe.

Early days of Clean & Safe 1988-2000

With the new city ordinance and a plan in hand, APP set out to turn downtown into an EID.



Forming an EID required the districts to petition for either a mandatory or optional fee. APP petitioned for an EID with a mandatory fee by submitting the "Preliminary Economic Improvement Plan" to City Hall.

APP gathered seventy-one petitioners, including Central City Concern and Portland Chamber of Commerce (PCC). APP proposed

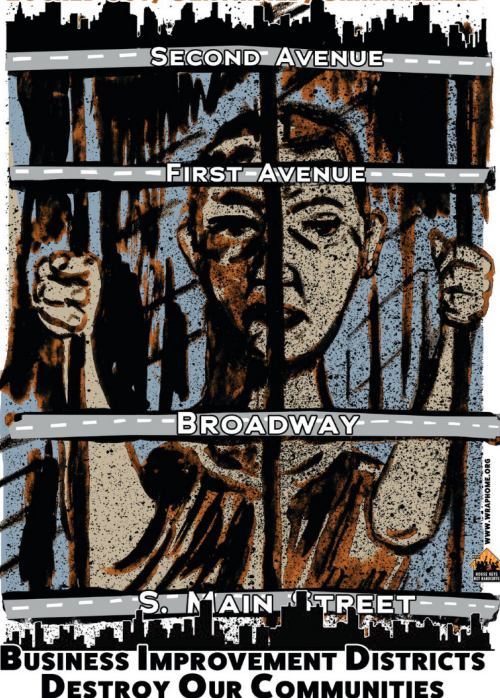
two budgets to make the city “clean and safe”. One for cleaners and one for security including five additional cops. The combined budget was \$1.1m. City Council approved the EID on June 1, 1988 on the condition a city-appointed task force developed a Final Economic Improvement Plan.

The task force, set up by the Mayor included APP members, Office of Fiscal Management (now Office of Management and Finance), Bureau of Transportation Engineering, Bureau of Maintenance (the latter two are under Portland Bureau of Transportation), City Auditor's Office, Bureau of Police, advisory committee members, and the Mayor's Office. Larry Dully of Portland Development Commission (now Prosper Portland) was appointed chair of the committee.

On June 22, only 21 days after the task force was appointed, they submitted their plan. One week later, on June 29, City Council approved the final plan, which expanded the cleaning program to encompass the entire district with a “homeless to work” program. They also approved the continuation of the security program. Security would be called “Portland Guides” and would have a two-way radio with the police. They emphasized both the cleaners and the security would be the “eyes and ears” of the police.

Despite how quickly the EID was pushed through City Council with seemingly no opposition, there were certainly critics of the EID. Only 50% of the total property value in the district voted yes on

BLOCK, BY BLOCK, BY BLOCK LOCKED OUT, GENTRIFIED, CRIMINALIZED



the formation of the EID. There were several, varying concerns. Some did not want to pay a private entity for supplemental services, some (especially nonprofits) were worried about the additional costs from mandatory fees, and others were concerned about the disparity of services across the city, prioritizing extra services for the wealthy.

And of course there were concerns about the impact of these services on homeless people in the district. Many homeless people and homeless advocates were opposed to the district but their concerns were overshadowed by APP's growing influence in the City.

Significantly, Commissioners Bob Koch and Earl Blumenaur were

concerned the EID would lead to private services replacing what should be basic public services. Something that increasingly became the norm during the advent of neoliberalism.

The EID allowed APP to work much more closely with City Hall, increasing their lobbying power. The EID's "homeless to work" program (which would later become Central City Concern's Clean Start) was cited in Mayor Bud Clark's 12 Point Plan to End Homelessness in 1989.

In 1990, APP implemented an anti pan-handling campaign called "Real Change, Not Spare Change". Meanwhile, they coordinated with the Police Bureau to implement strict guidelines preventing many street musicians from playing.

Most egregiously, APP successfully lobbied for a Drug and Prostitution Free Zone in Old Town in 1992. This allowed police and security to issue exclusions to people arrested on multiple drug charges. The people most often excluded were overwhelming Black. The

ordinance was in place until 2007.

In 1991, Measure 5, approved by Oregon voters made the mandatory EID fee unconstitutional. As a result, the EID switched to non-mandatory fees with 80% of businesses choosing to pay.

In 1993, one year before the EID contract expired, APP started looking for alternative funding mechanisms so they could start collecting mandatory fees again. With the help of yet another advisory committee, APP submitted another report to City Council. This time advocating to turn Clean & Safe into a Business Improvement District (BID).

The BID would allow the City to begin collecting business license fees (what are now called property management license fees). The fee is calculated based on property value.

City Council approved the BID on March 30, 1994, and with the increase in money, APP sought to expand Clean & Safe. They increased the amount of security



patrols, including armed officers who were either retired or off-duty cops. They also established a team to harass panhandlers.

Clean & Safe made changes to strengthen and maintain the Downtown Security Network which allows for law enforcement and private security to coordinate.

In 1993, Clean & Safe initiated a partnership with the Downtown District Attorney Program which provided prosecution services focused on "low-priority", survival "crimes" such as panhandling, trespassing, etc. The BID allowed Clean & Safe to fund half of the program while Multnomah County funded the rest.

The projected cost for year one of services under the BID was \$1.8m with just over one million going to the security program.

Once again, there was opposition to the formation of the BID but it was overlooked. One person who testified at the City Council meeting to approve the BID said that most police misconduct can be traced

back to the Clean & Safe guards. This person was concerned with how the uniforms of the security officers looked almost identical to that of Portland Police.

The BID was up for renewal again in 1997. The renewal was controversial because they decided to raise the fee and began charging residential property owners which was extremely unpopular. Despite opposition, the renewal was approved July 2, 1997.

In 1998, Portland Patrol Inc was created and began contracting with Clean & Safe providing armed and unarmed guards. The contract allowed for Portland Patrol, Inc to directly manage two Portland Police officers.

In 2001, the City once again decided to renew the district. This time, however, APP also successfully negotiated a ten year contract because the reviews every four years were "too expensive".

The 2000s also brought on new leadership and a merger that would impact Portland for years to come.



Birth of Portland Business Alliance 2000-2011

In 2000, Kim Kimbrough became the new executive director of APP. While in charge, Kimbrough immediately proposed APP merge with the regional chamber of commerce, PCC, as a means to strengthen political advocacy. This new entity would be named Portland Business Alliance (PBA).

Kimbrough argued it was in the region's best interest to have a thriving downtown. He worked closely with Mayor Vera Katz and the two entities successfully merged in 2002.

Kimbrough was a very controversial figure at the time. Willamette Week dubbed him a "bulldog". He talked about how Portland was a terrible place to do business and wanted to make it more "business friendly". He was very aggressive and threatened City Council on the occasion. Vera Katz canceled PBA's contract with the parking garages due to his behavior.

On the other hand, he had his way with City Council. The most notable example was in 2003. Kimbrough sent a letter to City Council asking them to vote no on a resolution condemning the Iraq War. After two yes votes, Commissioner Jim Francesconi

voted no on the ordinance causing it to fail. This was after Francesconi previously expressed he does not support the Iraq War. Francesconi denies Kimbrough had anything to do with his vote. Worth noting however, Francesconi would go on to run for Mayor in 2004, spending the most on his campaign than any candidate in the history of Portland, and the majority of his donations were from PBA members.

Despite straining many relationships in the business community and causing a stir at City Hall, he often got what he wanted. This included a behind closed doors sit-lie ordinance PBA played an instrumental role in.

Under Kimbrough's leadership, PBA began endorsing candidates for the first time. Their lobbying activity increased at a rate unseen in their previous iteration as APP.

Ultimately, Kimbrough left the job in 2003, replaced by Sandra McDonough. Kimbrough's impact left its mark. Portland Business Alliance would go on to become one of the most powerful lobbying organizations in the entire city.

With that power, PBA lobbied to expand their security program, which was successful. They had more patrols and a new contract with the Parks Bureau to patrol public parks in the district.

One thing Kimbrough orchestrated during his brief time at PBA which permeates to this day, was a new partnership between Clean & Safe and community courts. Having **10**



already had a relationship, the District Attorney's Office approached PBA in 2002 to ask for their assistance with staffing the Westside Community Court which resided in downtown Portland.

In the late 1990s the District Attorney's Office saw a huge increase in caseloads, mostly involving "crimes" of survival. District Attorney Michael Schrunk and Deputy District Attorney Mike Kuykendall (Kuykendall later became the VP of PBA as well as a Portland Police's Director of Services) proposed implementing a community court to deal with the increase in cases, arguing it would restore the perception of downtown being "safe". In 1998, DA Shrunk successfully lobbied for federal funding and established the first community court in Portland and second in the nation.

By the early 2000s, County budget cuts prevented the DA's office from expanding the community court program, which is where PBA entered in 2002. PBA agreed to support the community court and began funding for a legal assistant, a courtroom clerk, and a community service crew leader.

The community service crew leader would lead shifts of people sentenced through the community courts to work for Clean & Safe picking up trash. This acted as a means for Clean & Safe to reduce costs, by exploiting free labor. Statistics collected by PBA between August 2002 and July 2012 indicated they saved almost a million dollars worth of wage costs through this arrangement.

The courts weren't without criticism of course. People working in the District Attorney's Office

pointed out how the community courts caused burnout among a lot of its staff. Constitutionally, the courts put people in a situation where they are discouraged from exercising their 6th Amendment right to a trial. The courts created a situation where people were either forced into services or sent to jail.

Furthermore, relationships between BIDs and community courts have been contested in other cities. In St. Louis, the Downtown St. Louis Partnership BID (which coincidentally is where Kimbrough worked prior to PBA as executive director), funded judges for the community courts. In a 2004 lawsuit, *Bogan v. Bonner*, the courts were found unconstitutional, in part due to the influence from BIDs as well as citing violations of the 6th Amendment's right to trial.

Despite these criticisms and legal challenges in other states, the community courts and relationship to the District Attorney's Office became integral to both Clean & Safe and PBA.

Over the years, PBA continued to amass power in the city, lobbying for more police and security. In 2005, PBA successfully lobbied for Mayor Tom Potter's initiative, the Downtown Public Safety Action Committee which was passed October 11, 2005 by City Council.

Mike Kuykendall would go on to become the chair of the committee while he was a PBA staffer. The committee predominately consisted of Portland Police Central Precinct officers. They advocated for several recommendations which would increase policing in downtown Portland.

The Downtown Public Safety Action Committee would go on to become the Public Safety Action Coalition (PSAC) which spent much of 2020 opposing community efforts to defund the police through a series of propaganda campaigns. Clean & Safe's current interim executive director, Mark Wells, has also served as president for PSAC.

PBA's first ten years of existence changed the political landscape in Portland. They became a major lobbying entity and extremely influential, having regular meetings with City Hall.

During this time the presence of police and private security patrols became increasingly common in downtown corridors. The ten year renewal of their Clean & Safe contract came with opportunity to expand even more, but, for once, they may not be as successful, as those most critical of Clean & Safe became more vocal.



Post Ten Years 2011-2021

The 2011 renewal of the Clean & Safe contract also included a proposed expansion of the boundaries of Clean & Safe, encompassing 12 blocks coined as the “Safeway District”. The blocks consisted predominately of residential property owners who were overwhelmingly opposed to the district. As a result, the proposed expansion ultimately failed to pass through City Council.

Around this time, the City changed the name of BIDs to Enhanced Services Districts (ESDs).

PBA signed a contract with Portland Police Bureau (PPB) to fund four patrol officers in 2012. PPB also designates an additional two officers at no charge. Portland Patrol Inc still contracts with Clean & Safe. Portland Patrol also began contracting with TriMet in 2018. \$3.7m of Clean & Safe's \$5.1m revenue goes to security and police.

However, in 2011, striking a blow to PBA from Nick Fish, their contract to patrol public parks was revoked and replaced by park rangers.

The community courts continued until 2020 when Clean & Safe pulled out. Since the pandemic, community courts have shut down completely. However, Clean & Safe still funds a staffer in the District Attorney's Office. This staffer facilitates the Downtown Security Network which is still ongoing and meetings are not open to the public.



On the other hand, PBA's lobbying has only intensified.

One example of their lobbying efforts was in 2017. During a series of private meetings with Ted Wheeler and the CEO of Columbia Sportswear, Tim Boyle, Portland Business Alliance convinced the City to expand the “no sit zones” in downtown Portland. In response, activists organized a sit-in at the entrance of the Columbia store, which forced the store to shut down for the day.

Portland Business Alliance has also done their fair share of angering environmentalists. Most notably, during their opposition to the Portland Clean Energy Fund.

More recently, during the 2020 elections, Portland Business Alliance formed a PAC to reelect Ted Wheeler as a last ditch effort when Wheeler was not polling well. The influence and money poured into the PAC arguably won Wheeler the election.

Some other efforts PBA has actively lobbied against in the past ten years include a facial recognition technology ban, universal preschool, and budget cuts to the Portland Police Bureau.

Meanwhile, in 2019, the Central Eastside ESD formed modeling off of Clean & Safe. Activists and community members found out about this proposal and intervened, causing the City and Central Eastside to make concessions. This included guaranteeing unhoused people on the board, “reforming” (rebranding) the security to be safety ambassadors, and better data

collection. The Central Eastside is now seen as the “model ESD”.

A city audit was released in 2020 due to pressure from community. This was the first public audit of ESDs since Clean & Safe’s inception in 1988. The audit revealed the City has done almost zero oversight of the districts, resulting in disparate outcomes, especially against unhoused people. The audit crucially asks the City to review ESDs and whether they should continue operating in public space.

With growing opposition to ESDs in Portland, researchers and organizers have set out to oppose the 2021 Clean & Safe contract renewal. Pressure from community members forced the City to conduct citywide listening sessions of the contract renewal for the first time. Clean & Safe’s contract is up for renewal at the end of September 2021, leaving their future in the hands of the current City Council.

Much of the information for this zine was sourced from a 2008 report written by Caitlin Burke for Western Regional Advocacy Project (WRAP).

Additional information was retrieved from public records requests, news articles, and the City of Portland’s e-archives.

Contact: stopthesweepspdx@gmail.com



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