



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

Hempstalk Appeal

August 27, 2015



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

Use of City Property for Public Events

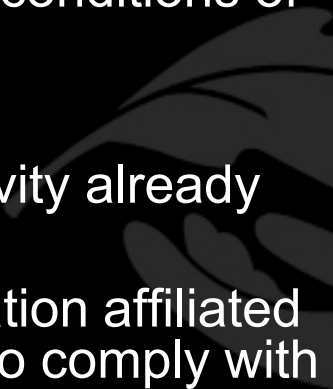
August 27, 2015

Harry Auerbach, Chief Deputy City Attorney

City Code

PCC 20.08.020.B provides:

B. The Parks Reservation Center (PRC) shall issue the requested permit if a complete application complying with all adopted policies and procedures is filed and all of the following conditions are met:

1. [activity is consistent with the size of the park]
 2. [activity will not have an unreasonably adverse impact on park or surrounding neighborhood]
 3. [activity does not pose an unreasonable risk to public health or safety or to the physical integrity of the Park]
 4. [pays all required fees and agree to comply with all conditions of the permit]
 5. [use is otherwise lawful]
 6. [The proposed activity does not conflict with an activity already scheduled for the Park]
 7. The applicant, including any person, firm or corporation affiliated with the applicant and with the activity, has not failed to comply with conditions of any permit previously issued by the PRC.
- 

Court Ruling

- **April 24, 2015**
Hearing in Multnomah County Circuit Court
before Judge Cheryl Albrecht



Court Ruling

- **April 24, 2015**
Hearing in Multnomah County Circuit Court
before Judge Cheryl Albrecht
- **July 10, 2015**
Judge Cheryl Albrecht of Multnomah Circuit
Court Denys a Writ of Review





PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

Record of Hempstalk

August 27, 2015

Shawn Rogers, Customer Service Center Manager, PP&R



Hempstalk Event History

History of this event within Portland Parks:

- Waterfront Park 2005-2006



Hempstalk Event History

History of this event within Portland Parks:

- Waterfront Park 2005-2006
- Sellwood Riverfront Park 2007



Hempstalk Event History

History of this event within Portland Parks:

- Waterfront Park 2005-2006
- Sellwood Riverfront Park 2007
- Eastbank Festival Plaza 2008



Hempstalk Event History

History of this event within Portland Parks:

- Waterfront Park 2005-2006
- Sellwood Riverfront Park 2007
- Eastbank Festival Plaza 2008
- Kelley Point Park 2009-2013



Hempstalk Event History

History of this event within Portland Parks:

- Waterfront Park 2005-2006
- Sellwood Riverfront Park 2007
- Eastbank Festival Plaza 2008
- Kelley Point Park 2009-2013
- Waterfront Park 2014



Hempstalk Event History

During this period, Hempstalk has shown a consistent:

- Failure to comply with the conditions of their permit
- Failure to prevent illegal drug use at their event
- Lack of event administrative capabilities to complete the permit application without extensive assistance from Parks staff
- Lack of skills and management capabilities to run an event of this size



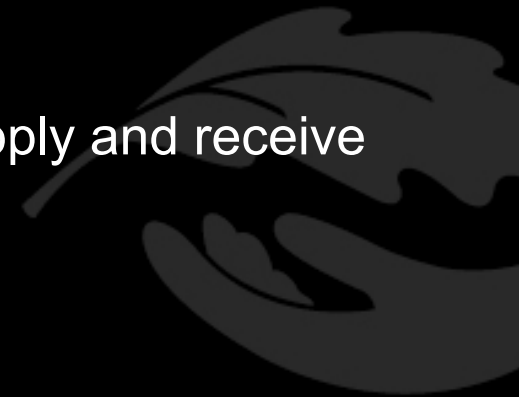
Hempstalk Event History

During Hempstalk's last event at Kelley Point Park in 2013 the number and degree of issues, challenges and violations became too numerous to accept.

For these reasons Hempstalk's 2014 application for a permit was denied.

Hempstalk appealed Park's decision to City Council.

Council provided Hempstalk one last opportunity to apply and receive a permit to hold their event.



Hempstalk Event History

With that opportunity came Council's expectation that Hempstalk would:



Hempstalk Event History

With that opportunity came Council's expectation that Hempstalk would:

- Meet the conditions required of all events



Hempstalk Event History

With that opportunity came Council's expectation that Hempstalk would:

- Meet the conditions required of all events
- Contract with a professional event manager to run the event



Hempstalk Event History

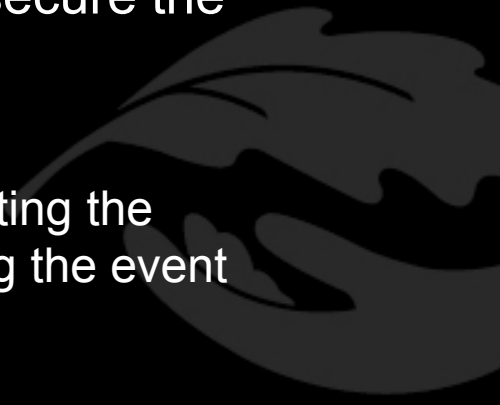
With that opportunity came Council's expectation that Hempstalk would:

- Meet the conditions required of all events
- Contract with a professional event management to run the event
- Contract with an experienced security company to secure the event



Hempstalk Event History

With that opportunity came Council's expectation that Hempstalk would:

- Meet the conditions required of all events
 - Contract with a professional event management to run the event
 - Contract with an experienced security company to secure the event
 - Assure that all conditions of use are met including prohibiting the consumption of illegal and or controlled substances during the event
- 

Key Issues

During the 2014 event the following issues and violations continued to occur:



Key Issues

The results of the 2014 event are that the following issues continued to occur:

- Ongoing, unrestricted use of Illegal or controlled substances by organizers and their patrons



Key Issues

The following issues continued to occur at the 2014 event:

- Ongoing, unrestricted use of Illegal or controlled substances by organizers and their patrons
- Unwillingness by the organizers to enforce state and federal law as required in the conditions of use of the permit



Key Issues

The following issues continued to occur at the 2014 event:

- Ongoing, unrestricted use of Illegal or controlled substances by organizers and their patrons
- Unwillingness by the organizers to enforce state and federal law as required in the conditions of use of the permit
- Organizers directing or instructing participants where to use illegal substances on Park property.



2014 Event Documentation

The event took place September 27th and 28th 2014 and is well documented in both the following:

- Portland Police After Action report
- Park's Ranger observations and documentation.





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Police Record of Hempstalk 2014

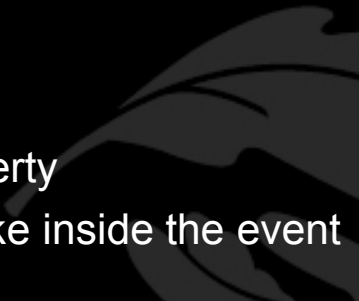
August 27, 2015

Sergeant Heidi Brockman, Portland Police



PPD Observations

A selection of observations made by Portland Police during the event:
Saturday September 27th

- 10:00am (pg 3/8)
The morning of the event Organizers were not ready or properly prepared for the event.
 - 3:45pm (pg 2/8)
“Edibles” were being sold within the event.
Marijuana being smoked within the event
 - 4:50 (pg 4/8)
Individuals smoking just outside the event still on Park property
Announcements from organizers on stage telling no to smoke inside the event but to go outside to do it.
- 

PPD Observations

Portland Police observations made during the event (Cont.)

Saturday September 27th (cont.)

- 5-7:30pm (pg 4/8)
Plain clothes officers witnessed two specific vendors selling marijuana
Ongoing multiple observations of marijuana use

Sunday September 28th

- (pg 4/8)
PFB Fire Marshals report Vendors smoking marijuana in their booths
Burning marijuana smoke throughout the event
- (2:00pm pg 5/8)
Plain clothes officers were able to purchase “Medibles” from vendors





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Park Ranger Record of Hempstalk 2014

August 27, 2015

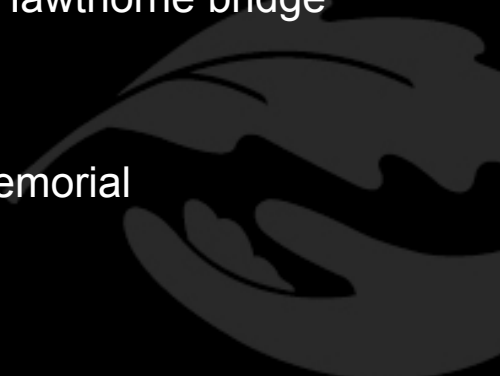
Security Manager Galina Burley, Portland Parks & Recreation



History

Observations by one Ranger team during half hour of the event on 9/27/2014:

- 4:54pm – Teenagers smoking a bong at the Police Memorial
- 4:58pm – Adults passing a Joint under the Hawthorne bridge
- 5:00pm – Multiple groups of teenagers passing a pipe under Hawthorn Bridge
- 5:05pm – Multiple individuals carrying bongs, pipes and bags of marijuana
- 5:08pm – Group of teens smoking out of a Bong
- 5:11pm – 6 Groups smoking marijuana on the grass north of the Hawthorne bridge
- 5:25pm – 2 individuals smoking marijuana in the bridge stairwell
- 5:32pm – 2 groups of teens smoking out of a bong
- 5:34pm – a small container of Crystal Meth found at the Police Memorial



Summary

Based on 2014 observations, combined with the history of similar repeated violations of state and federal law, as well as the repeated inability of the event to meet the conditions of their permit, PP&R has denied Hempstalk's application.

