

**SUPPORT  
APPEAL**

2015 HEMPSTALK FESTIVAL APPEAL

AGAINST PORTLAND PARKS & REC DENIAL OF APPLICATION

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

<sup>5 previous</sup> Leland Berger		
<del>Leah Flynn</del> Not here.		
✓ Luke Zimmerman		
✓ Vivian McPeak		
✓ Ngai Bealum	815 28th ST SACRAMENTO CA 95811	Ngai@proyaho.com
✓ Steve Wessing		
✓ Michael Buchara		
✓ Michael LaRiviere	3428 NGantenbein AVE Portland OR 97227	MIKEYMAZZE91@Gmail.com
✓ Victoria Hargwood	3710 NE 122nd AVE. PORT OR 97230	no
✓ John Cornett	3052 NW Sunset DR. FOREST GROVE, OR	me@johnpocnett.com

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✓ Judy Ecker Cornett	3052 N.W. Sunset + 7th Forest Grove OR 97116	Judy@jedthevalym.com
✓ Justin James Bridges		
Scott Gordon	NOT here	
✓ Nicki's Gates	6520 NE Broadway #22 PDX ORE 97213	
✓ Eric Lewallan		
✓ Don Skakie		
✓ Jessie Sponberg		
✓ Courtney Maran		
spoken ✓ Vivian Wm. McPeak	6911 12th Ave NE SW WA 98115	
no ✓ A. Shepherd	do not want to speak	O.shepherd13@gmail.com

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Don Skakie	4313 SE 2 <sup>nd</sup> PL Renton 98059	sensible.northwest@gmail.com
Jessie Sponberg	2615 SE 131 <sup>st</sup>	
Paul Loney	3430 SE Belmont 97214	
SEAN CASSAR	13079 SE GLENWOOD ST	
Mary Haddock	9537 NE 190	
Luke Zimmerman	210 N Hayden Bay Dr Portland 97227	
Clay Pierce	19575 River rd #45 Gladstone OR 97027	wrcclaypierce@gmail.com
Erin Purchase	PO Box 281 Oregon City OR 97045	teammykroyla@gmail.com
ASTARTE' RAINBOW	3553 SE 42 <sup>nd</sup> Av PDX OR 97206	
BRUCE A. KNIGHT	3553 SE 42d Ave, PORTLAND 97206	b-a.knight@gmail.com

STEVE S. WESSING 3246 NE 79TH AV PORTLAND 97213 STEVE420@GMAIL.COM

~~Steve Pierce~~

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NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Denell Mulloy	2519 NE 205 <sup>th</sup> Ave #27 Fairview, Or 97024	PixiePan77@gmail

8/27/2015

My name is Steve Wessing. I am an OMMP patient, and I have been a volunteer stage manager for Hempstalk since its inception in 2005.

Let me begin by saying that I was once proud to live in Portland. I believed that the police and city departments were honorable, and working in the interest of the citizens. In recent years, I have lost that pride.

In past years, the city was helpful and worked in good faith to set reasonable limits, and to assist us in providing a safe and enjoyable venue for our free speech event. When the current administration took office, that changed dramatically.

This is Portland. 72% of our neighbors approved legalization of cannabis. Yet as the public and the law have become more tolerant of cannabis, our police and parks department policies have become less tolerant. This is no longer the city I used to love.

You pretend to embrace equality, yet you treat us unequally. You allow commercial alcohol events by the dozens, where alcohol use is encouraged and celebrated. But you obstruct a free speech event with a ten year history of successful growth and massive local support, because you disagree with our message. It is my opinion that these actions are a violation of our rights under the United States constitution.

In 2014, we complied with your unreasonable restrictions in an attempt to convince you of our sincere intent to provide a safe event. Even to the point of allowing you to influence the content of our speech. Our efforts toward cooperation were met with continued confrontational behavior by Portland police (who interfered repeatedly with our stage operations), and false accusations that we ignored your illegal restrictions of our speech, and allowed public consumption of cannabis

By these actions, you have abridged the rights of dozens of dedicated volunteers who have acted in good faith to navigate your impossible restrictions. Hundreds of performers and speakers who's messages were silenced this year, and suffocated by fear in 2014. And thousands of former participants who were deprived of their right to attend this year, or chose not to attend in 2014 rather than be subjected to unreasonable police harassment,

Each of us are potential plaintiffs in a class action against the city. I'm fairly certain that there are people in this room who are engaged in a conspiracy to deprive us of our rights under the first, fourth, and fourteenth amendments. I'm also fairly certain that an investigation of the city's email server will confirm my suspicion.

Thank you for your time and consideration. I hope the city will prove me wrong, and do the right thing.

8/27/15  
Submitted by  
Ann Witte

ACLU

Kimberly McCullough, Legislative Director  
Appeal of Paul Stanford against Portland Parks & Recreation  
Permit Application for Portland Hempstalk Festival  
Portland City Council  
August 27, 2015 – Item 902

Mayor Hales and Commissioners:

Thank you for the opportunity to testify regarding your consideration of the appeal of Paul Stanford against the Portland Parks & Recreation decision to deny a permit application to hold the Portland Hempstalk Festival at Waterfront Park in 2015. I apologize that I am unable to appear in person today.

The passage of Measure 91 marked a monumental shift in Oregon's treatment of marijuana. Public discourse about the production, sale, and consumption of marijuana, for both medical and recreational purposes, continues to be a critical component of the development of policy and regulations at the state and local level. Public events, especially ones hosted in public spaces such as the parks in downtown Portland, are important venues for this ongoing dialogue. The right to join with fellow citizens in protest or peaceful assembly is critical to a functioning democracy.

Parks have played, and continue to play, a central role in the narrative of public protest, demonstration, and the dissemination of ideas throughout the history of Oregon and the United States. For this reason, parks have become the quintessential "public forum": a government-owned property that is open to public expression and assembly. While it is lawful for a government agency to regulate the use of parks through permitting events, it is important that such regulations encourage assembly, are applied in a non-discriminatory manner, and do not thwart free public expression. Restrictions on events may violate the First Amendment if they are unnecessary for traffic control or public safety, or if they interfere significantly with effective communication to the intended audience. A permit cannot be denied because the event is controversial or will express unpopular views.

In light of these considerations, we urge City Council to err on the side of speech, reconsider the denial of Hempstalk's permit application, and allow Portland's parks to be available for residents to gather and engage in this crucial discussion of marijuana policy.

Thank you for considering our recommendation.

## News

[Economy \(/News/Topic/Economy/\)](#) | [News \(/News/Topic/News/\)](#) | [Arts \(/News/Topic/Arts/\)](#) | [Recreation \(/News/Topic/Recreation/\)](#) | [Health \(/News/Topic/Health/\)](#) | [Politics \(/News/Topic/Politics/\)](#)

# Police Don't Plan To Ticket Pot Users At Blues Festival

by **Kristian Foden-Vencil** (</contributor/kristian-foden-vencil/>) OPB | July 3, 2015 10:50 a.m. | Updated: July 3, 2015 12:39 p.m. | Portland



Portland police plan to let security staff at this weekend's Blues Festival deal with public pot use.

Sam Churchill (<https://flic.kr/p/crbTwh/>)/Flickr (<https://creativecommons.org/licenses/by/2.0/>)

Portland's Waterfront Blues Festival this weekend is the first large public gathering since recreational marijuana became legal in Oregon.

The question is: How are police dealing with people smoking marijuana in the open?

**From:** Kalivas, Karras  
**Sent:** Monday, September 29, 2014 3:39 PM  
**To:** Burley, Galina; Sachs, Sam; Arden, Asa  
**Cc:** Artharee, Hasan  
**Subject:** RE: waterfront park this weekend

Hello Galina,

The whole event led to people in the afternoon smoking marijuana. The staff at the event was kicking people out who were using marijuana, which led them to Waterfront park and the downtown areas to use....

There were a few individuals who had merchandise to sale outside of the event (non-permitted) but overall it led to people using and smoking marijuana around the area.

There were no other major issues beyond controlled substance use and unpermitted sales outside the event. It felt like a lost cause to enforce the city ordinance regarding controlled substance in the area that weekend.

**From:** Burley, Galina  
**Sent:** Monday, September 29, 2014 9:20 AM  
**To:** Sachs, Sam; Arden, Asa; Kalivas, Karras  
**Cc:** Artharee, Hasan  
**Subject:** waterfront park this weekend

Gentlemen,

Please send your documentation related to Hempstalk event to me, so I could share it with PPB.

Please follow up as soon as possible.

Galina



## Parsons, Susan

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**From:** Kimberly McCullough <KMcCullough@aclu-or.org>  
**Sent:** Thursday, August 27, 2015 10:43 AM  
**To:** Council Clerk – Testimony; Moore-Love, Karla  
**Subject:** ACLU of Oregon Testimony - 8/24/15 - Item 902  
**Attachments:** Letter to City Council re Item No 902.pdf

I have attached written testimony in connection with the following item on the Portland City Council agenda:

**THURSDAY, 2:00 PM, AUGUST 27, 2015**

**902 TIME CERTAIN: 2:00 PM** – Appeal of Paul Stanford against Portland Parks & Recreation decision to deny a permit application to hold the Portland Hempstalk Festival at Waterfront Park in 2015 (Hearing introduced by Auditor Hull Caballero) 3 hours requested

I will unfortunately be unable to attend the hearing in person today, so my hope is that this written testimony will be distributed to Mayor Hales and the Commissioners prior to or at the hearing.

Thank you!

**Kimberly McCullough**



Legislative Director

ACLU of Oregon

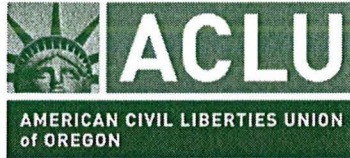
P.O. Box 40585, Portland, OR 97240

■ o 503.227.6928 ■ m 503.810.6939

■ [kmccullough@aclu-or.org](mailto:kmccullough@aclu-or.org)

[www.aclu-or.org](http://www.aclu-or.org)  





Rec'd 8/27/15

Kimberly McCullough, Legislative Director

Appeal of Paul Stanford against Portland Parks & Recreation  
Permit Application for Portland Hempstalk Festival  
Portland City Council  
August 27, 2015 – Item 902

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