

STOP LOTTERY ROW PLANNED TESTIMONY 3/20/13

It is imperative that some history has to be put on the record that will help explain some of the reasons these bills are extremely timely & important:

1. By 2008 the strip mall at Harbor Shops Complex, 11915 – 12055 B. Center Ave was fully operations at a on building CASINO operating with 10 licenses premises;
2. Oregon Restaurant & Service Inc. (ORSI) aka Dotty's had 6 licenses and 2 leases;
3. There was no outside security persons; no internal nor external video surveillance;
4. According to Portland Police Stats, the total number of calls within 1000' of the Harbor Shops rose from 711 to 751 in 2007 to 2008 or from 21% to 25% approximately; from 2008 to 2009 the calls rose to 813 or 26%; from 2009 to 2010 the calls rose to 1227 or 38% and in 2011 the calls were 1158 or 41% of all called to Hayden Island proper;
5. The Portland Police along with HiNOON attempted an many occasions to engage the licensees and the landlord Sondland/Durant to enter into a "Good Neighbor Agreement" to change the culture at the Harbor Shops Complex, LOTTERY ROW with no results;
6. Due to no security at LOTTERY ROW, a drug bazaar/crime zone was firmly in place;
7. OLCC and OLC exercised no apparent enforcement against this drug bazaar/crime zone;
8. In December 2013 the Portland Police made a number of undercover drug buys inside the licensee's premises resulting in 26 felony indictments.

Why is this history important? Rep. Kotek listened to the Portland Police, HiNOON and STOP LOTTERY ROW, among many other sources of

information and crafted a pointed, reasonable and common sense approach to the disastrous conditions existing on Hayden Island.

Moreover, her approach in these legislative amendments will protect other communities that may be subject to the neglect and lack of oversight of OLCC and OLC in allowing such unreasonable concentration and saturation in any other neighborhood.

Also important, is the provision:

Relating to addressing the impacts of alcoholic beverages; creating new Provisions; amending ORS 471.313, 471.315 and 471.705; and declaring an Emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 and 3 of this 2013 Act are added to and made a part of ORS chapter 471.

SECTION 2. (1) Notwithstanding ORS 471.730, a city governing body, the chief of police or the peace officer in charge of a law enforcement agency, as defined in ORS 181.010, serving a city may order the cessation of alcoholic beverage sales or of other operations at a premises licensed for full or limited on-premises sales or as a brewery-public house for a period not exceeding 72 hours if the governing body, chief of police or peace officer in charge determines that the continuation of sales or operations at the premises would constitute an immediate threat to public safety based upon a reasonable belief that an offense listed in subsection (2) of this section involved patrons of the premises, occurred in the immediate vicinity of the premises, was related to the sale or service of alcohol at the premises and occurred within 24 hours prior to issuance of the order.

This is so critical since many sources of information concerning criminal activity is available to law enforcement that isn't available to OLCC or OLC simply because at LOTTERY ROW their presence is not regular whereas the Portland Police Bureau is on the Island every day. That provision likewise

has wide application in all the future communities that may suffer the destructive presence of concentrated licenses premises.

What is most persuasive is that the logic and the experience of the Portland Police Bureau and the community has been adopted and incorporated into these bills.

On behalf of Hayden Island and all the other communities similarly situated, we urge passage of these Bill 2007 and 2008 presently before this committee.

STOP LOTTERY ROW
By Charles A. Kuffner, Jr.
283 N. Hayden Bay Drive
Portland OR 97217
503-978-1937
Email cakjscr@comcast.net