

Deaccession Guidelines: City of Portland and Multnomah County

Revised 2021

Background

When the Metropolitan Arts Commission (MAC) was formed in 1973, artwork owned by both the City of Portland and Multnomah County, including historical and memorial statuary deemed to be fine art, became the responsibility of MAC. Works of art have also been acquired through the Comprehensive Employment and Training Act (CETA), donations, and the Percent for Art Program. In 1995, when MAC became a non-profit agency, the Regional Arts & Culture Council (RACC), this responsibility continued via contracts between RACC and the City of Portland and Multnomah County. RACC is the agency that has been tasked with building these Public Art Collections and overseeing their maintenance and conservation. When necessary, RACC also oversees the removal of artworks from the Public Art Collections—this process is referred to as “deaccessioning”.

Policy

While it is regrettable, occasionally it is necessary to remove an artwork from the collection. Deaccessioning is the formal procedure by which an artwork is permanently withdrawn from the Public Art Collection. The deaccession of artwork will be considered only after a careful and thorough evaluation. In general, deaccession will only be considered ten years after accession or if there are extraordinary conditions. Every attempt will be made to notify the artist and donor when applicable. Final approval for deaccession is made by the Public Art Committee or by the RACC Board on recommendation from the Public Art Committee (PAC) if the value of the artwork exceeds \$10,000.

Criteria for Deaccessioning

A work of art may be deaccessioned for one or more of the following reasons:

1. A work is not or is rarely on display for lack of a suitable site.
2. The condition or security of the artwork cannot be reasonably guaranteed.

3. The artwork has been damaged, or has deteriorated and the cost of repair is disproportionate to the value of the artwork as determined by RACC staff or by an appraiser as the situation dictates.
4. The artwork endangers public safety.
5. The location of a site-specific artwork is so severely altered that the work's installation is no longer physically possible or conceptually relevant.
6. The artwork is significantly incompatible or inferior in the context of the collection.
7. The City/County chooses to replace the artwork with a work of more significance by the same artist.
8. There has been sustained and overwhelming public objection to the artwork over a two-year period. This can include regular social justice oriented graffiti, vandalism, or defacement.
9. The property on which a site-specific artwork is located is no longer owned by the City of Portland or Multnomah County.
10. The artwork has been stolen or destroyed.
11. The subject or impact of an artwork is significantly at odds with values of antiracism, equity, inclusion.¹
12. The artwork is an ongoing rally point for gatherings centered on racist or bigoted ideology.
13. Artwork does not support RACC's Mission Statement.

Murals

Murals approved through the Murals Program will be deaccessioned upon the termination of the Art Easement. If the Easement is terminated exclusively on the initiative of the property owner, the deaccession is exempt from the deaccession criteria and does not require approval. If RACC proposes the termination the Easement, then the requirements for deaccession stated in this policy must be met.

Monuments

The Public Art Collection has the power to create spaces that are inclusive and welcoming to all the communities living in the city. Conversely, public art in the form of historic monuments and memorials in these spaces frequently depicts figures or events seen through the lens of privilege, failing to recognize the nuance of history that contains dispossession, enslavement, and discrimination. The legacy of the people or events depicted can change over time and it is therefore imperative that these artworks be regularly reevaluated, taking into account new information that comes to light during research or based on the evolution of a changing community. Monuments and memorials may be considered for deaccession based on careful and in-depth evaluation of the artwork and are subject to the criteria stated above. A review plan will be written and agreed to by all parties at the outset of a

¹ Additional resource: [City of Portland's Core Values \(Resolution 37492\)](#)

review that identifies affected parties; outlines roles, responsibilities and decision making; identifies the spectrum of community to be engaged; and defines community feedback.

Review Criteria:

- 1- Research the subject of the artwork, the artist, and the donor if applicable.
 - a. Are any of these elements at odds with the values of antiracism, equity, and inclusion
 - b. Is the artwork an ongoing rally point for gatherings centered on racist or bigoted ideology?
- 2- Owner provides research on the means of acquisition and any legal restrictions.
- 3- Evaluate community feedback, both historic and current, as defined in the review plan.
- 4- Center those most impacted in the recommendation for deaccession and removal.

Disposition

The PAC is responsible for determining the final disposition of a deaccessioned artwork, taking into account the reason for deaccessioning, and the materials and scope. The following actions may be considered:

1. Exchange:
 - An exchange may be made with the artist, a gallery, museum, or other institution for one or more artwork(s) of comparable value by the same artist. The artist will be given the first opportunity to exchange the artwork. Any artwork that is accessioned into the collection through an exchange is subject to the accessioning criteria outlined in the RACC Collections Management Policy.
2. Transfer:
 - The artwork, or any part of the artwork, can be donated to the artist, the original donor, a non-profit organization, a conservator for educational purposes, or, in the case of site-specific artwork, to the owner of the property on which the artwork is installed.
 - The work may be sold through auction, gallery resale, or direct bidding by individuals, in compliance with City and County law and policies governing surplus property.
 - Proceeds from sale of an artwork will be deposited in the Public Art Trust Fund departmental account from which the original purchase was made if acquired through the Percent for Art Program.
 - Funds from the sale of donations will go into the Public Art Trust Fund for future undesignated projects. Any pre-existing contractual agreements between the artist or donor and the City or County regarding transfer of ownership will be honored.

3. Destruction:

- An artwork may be destroyed when it has deteriorated or been damaged and the cost of repair is disproportionate to the value. Options for recycling will be pursued when possible.

Procedure*

1. RACC staff is responsible for recommending artworks for deaccession and should first determine if there are any possible barriers, legal or otherwise, that stand in the way of either deaccession or disposition. The artist, City Attorney/County legal staff, and the appropriate City/County bureau will be consulted if necessary.
2. A Deaccessioning Subcommittee of the PAC will be appointed as needed. This subcommittee will consist of four members of the PAC and an art conservator or curator. Representatives of the City or County will be included as the situation requires. In the case of monuments, the subcommittee will develop and oversee a review plan as stated above.
3. RACC staff presents the deaccession candidates and the findings of the subcommittee to the PAC. The PAC will either approve or reject the recommendation for deaccession and disposition, or, in the case of artwork valued above \$10,000 and under \$150,000, forward it to the RACC Board for final approval.
4. The deaccession of artwork valued above \$10,000 is approved or rejected by the RACC Board. Final approval for artwork valued above \$150,000 may be determined by the owner.
5. If approved, RACC staff will proceed with the final disposition as approved by the PAC.
6. Staff will record the deaccession process with a Deaccession Worksheet. The worksheet and all other related documentation will be permanently retained by RACC regardless of the outcome of the recommendation for deaccession.

*Procedure for monuments and memorials will depend upon the review plan as outlined above.

Term Definitions

Accession – The act of adding an artwork to the permanent collection.

Anti-racism – A belief or practice that recognizes pervasive racism in society, and actively combats racial prejudice and discrimination in order to promote racial justice and equality.

Art Easement – The right to place public art on the property of another.

Artist – A practitioner in the visual arts who is generally recognized by peers and adjacent arts and cultural communities.

Artwork – All forms of art conceived in any discipline or medium, including visual, performance, literary, media and temporary works.

Bequest – A gift or donation made through a will.

Bigoted ideology - a belief, opinion, or faction devoted to prejudice against a person or people on the basis of their membership of a particular group.

Collections Management – The process of managing the information and disposition of all objects for which RACC has permanently or temporarily assumed responsibility. This includes developing, maintaining, and enforcing collections policies and procedures that address the care, handling, placement, and storage of artwork.

Conservation – The repair of damaged or deteriorating artwork in a way that maximizes endurance with as little change to the object as possible. Treatment performed by a conservator can typically be undone if necessary. As opposed to **restoration** which refers to treatment that returns the artwork to a known or assumed state, often by the addition of non-original material.

Deaccession – The formal removal of accessioned artwork from the permanent collection.

Disposition – The ultimate method of disposal of a deaccessioned artwork. This can be done through sale, trade, donation, or destruction.

Diversity - The quality or state of having many different forms, types, ideas, etc.; the state of having people who are different races, ages, who have different cultures, or who are from different geographical locations in a group.

Donation – An artwork or sum of money given willingly and without compensation.

Equity – Equity addresses the historic, institutional systems that create oppression based on identity. We strive to use an intersectional approach to transform historic power dynamics for accountable systemic change based on the principles of humanity, justice, and belonging.

Inventory – The process of checking the physical location of an artwork against the location record. Inventory is also a method of surveying the physical condition of artwork in the collection.

Loan – (1) Outgoing: a work of art lent to a City or County bureau for exhibition in an approved public space. Artwork may also be lent to outside organizations for special exhibition at their expense.
(2) Incoming: a work of art borrowed by RACC for exhibition purposes at RACC’s expense.

Inclusion - The active practice of sharing power with traditionally excluded individuals or groups in processes, activities, and decision or policy making.

Maintenance – Regular routine inspection and care of an artwork carried out by a trained technician.

Monument/memorial - a statue, building, or other structure erected to commemorate a famous or notable person or event; a structure intended to commemorate someone or something.

Mural – A large scale painting or other work of art executed directly on or attached to a wall.

Percent for Art – A percentage of capital construction costs for public buildings mandated by City and County ordinances to be set aside for art.

Provenance – The history of ownership of an artwork.

Public Art – Original works of art that are accessible to the public and which may possess functional as well as aesthetic qualities, regardless of accession into the public art collection.

Public Art Collection – All accessioned works of art owned by the City of Portland and/or Multnomah County.

Public Art Murals Program – The program adopted by the City of Portland in 2005 that expanded RACC’s public art program to include reviewing submissions for public art murals to be placed on publicly accessible walls and administered by RACC. Refer to the *Public Art Murals Program As Adopted Report* and the *Public Art Murals Program Guidelines and Application*.

Public Art Staff – The staff person(s) hired by RACC to oversee the development and execution of Public Art programs and the public art collection.

Public Art Trust Fund – The RACC fund that receives all Percent for Art monetary contributions derived from improvement projects and public art funds from other sources.

Rotation (of Artwork) – Moving an artwork to multiple locations over a period of time for the purpose of exhibition.

Site-specific – Artwork specifically designed for and permanently installed in a particular location.

Selection Panel – A panel appointed by RACC responsible for the artist selection, reviewing proposed works of art, and recommending to the PAAC and to RACC specific expenditures for Percent for Art funds for each project.

Work of Art – see Artwork.