

## XXX.XX, Procedural Justice

### Refer:

- DIR 310.00, Professional Conduct and Courtesy
- DIR 310.50, Truthfulness
- DIR 312.50, Identification Policy
- DIR 315.30, Satisfactory Performance
- DIR 344.05, Bias-Based Policing/Profiling Prohibited

### Definitions:

- **Procedural Justice:** The practice of engaging people respectfully and policing in a neutral and trustworthy manner, while giving individuals a voice during police encounters.

### Policy:

1. The Portland Police Bureau (PPB) is committed to policing in a procedurally just manner. Procedural justice is a critical principle at the center of community-based policing and is foundational to building public trust and increasing police legitimacy.
2. An individual's perception of fairness during a police interaction comprises the core of procedural justice and ultimately shapes community trust in the police. Fairness is achieved by member's treating individuals with dignity and respect; being consistent and transparent in their actions during interactions with all members of the public; providing an opportunity for individuals to have and use their voice during an encounter; being impartial in their decision making; and conveying truthfulness during the encounter.

### Procedure:

1. Four Principles of Procedural Justice.
  - 1.1. Bureau members shall, when possible, demonstrate the following principles of procedural justice during encounters with members of the public:
    - 1.1.1. **Respect:** Treat individuals with dignity and act with professionalism and courtesy during the interaction.
    - 1.1.2. **Voice:** Give individuals an opportunity to ask questions and explain their actions.
    - 1.1.3. **Impartiality:** Treat individuals fairly and make clear and neutral decisions based on the available relevant information.
    - 1.1.4. **Trustworthiness:** Provide transparent and reliable information during the interaction.
2. Procedurally Just Practices When Taking Police Action.
  - 2.1. Members shall, whenever reasonable and practicable, engage in the following procedurally just actions when performing a stop or taking other police action:
    - 2.1.1. Act in accordance with Directive 312.50, Identification, with regard to identifying themselves and offering their business card;
    - 2.1.2. Provide their Department of Public Safety Standards and Training (DPSST) number;
    - 2.1.3. As soon as practicable, explain to the individual the reason for the contact;

- 2.1.4. Inform the individual of their ability (or not) to leave or withdraw from the interaction;
  - 2.1.5. Continue to explain member actions and account for reasonable delays throughout the interaction;
  - 2.1.6. Endeavor to provide clear and intelligible instruction to the individual to ensure the safety of all involved; and
  - 2.1.7. During a pedestrian or traffic stop, endeavor to limit the duration of the stop to a reasonable amount of time necessary to carry out appropriate police action.
- 2.2. Members who are unable to perform the aforementioned practices due to exigency, a risk to the safety of the member, the potential for compromising the investigation, or another practicable and articulable reason, shall justify any significant deviations from these principles in any police report they write about the event.
3. Other Member Actions and Considerations.
- 3.1. De-escalation is a useful tool that aligns with the core objectives of procedural justice. Such de-escalation measures as using verbal techniques to introduce calm the interaction; members safely positioning themselves to facilitate communication with the individual; and allowing sufficient time for compliance, can lead to positive outcomes.
    - 3.1.1. Consistent with Bureau policies and practices, members shall use de-escalation techniques during encounters with members of the public, when time and circumstances reasonably permit.
    - 3.1.2. When practicable, members shall consider that an individual's lack of compliance may be attributed to factors that include, but are not limited to:
      - 3.1.2.1. A medical condition;
      - 3.1.2.2. Mental impairment;
      - 3.1.2.3. A developmental disability;
      - 3.1.2.4. Physical limitation(s);
      - 3.1.2.5. A language barrier;
      - 3.1.2.6. Drug or alcohol impairment; and/or
      - 3.1.2.7. A mental health crisis.