

2020 Portland Civil Unrest After Action and Recommendations

From May 29 to November 16, 2020, the City of Portland saw a near daily occurrence of civil unrest, destruction and violence. The Portland Police Bureau operated an Incident Command Post for 170 days, which has never occurred in the history of the city. After the death of George Floyd, many cities across the country saw large protests that were mainly peaceful. Some cities also had civil unrest, but Portland is one of a few cities that dealt with civil unrest on a nightly basis for an extended period.

The purpose of this after action addendum is to provide a high level review to propose recommendations where the Police Bureau learned lessons or can improve. The Portland Police Bureau, a medium-sized policing agency, did an excellent job handling the nightly protest. That is not to say that there are not learning points to be highlighted from this experience. Due to the ongoing litigation from this time period there are limitations to critique specifics. Finally, this document is a combination of the recommendations of several command individuals.

For ease of reading, this time period from here will be referred to as “event.” The following will be the areas that this after action reviews:

1. Effects of the COVID pandemic
2. Political Election Cycle & Influences
3. Community Relations
4. Command & Control
5. Tactical Responses & Use of Force
6. Equipment
7. Training
8. Constitutional Rights
9. Accountability & Transparency
10. Officer Resilience
11. Anarchists

1. COVID pandemic

The COVID pandemic had significant impacts on this event, both internally and externally. Leading up to the event, the pandemic externally had caused months of required social distancing and self-sequestering. All normal outlets to regularly allow people to decompress were closed. This included schools, gyms, bars, restaurants, sporting events and other social activities, not to mention many businesses that were closed and their employees not working. Couple this with the continued anxiety of changing public information regarding the virus led to the build-up of the initial extreme public demonstrations, that was far beyond what we anticipated or what is a normal response for the Portland activist community.

As the pandemic continued, this event stretched into months. It appeared as if many younger people, lacking entertainment and work, often attended the protests, with some gathering regularly to socialize and drink and a portion of those then engaging in criminal activity.

Under normal circumstances, the downtown business and commercial core is a busy and thriving area. The pandemic essentially shuttered most of the downtown core, further exacerbating the lack of regular nighttime crowds and foot traffic.

At the same time, orders regarding the pandemic required officers to socially distance themselves and wear Personal Protective gear at all times. These requirements had to be considered when setting up staging areas, the Incident Command Post, and adhered to for custody processing and arrest procedures. The pandemic also caused scheduled trainings to be postponed or cancelled.

There were also fundamental changes to how administrative business occurred within the Bureau. Most meetings of command staff were now done remotely. This small, but abrupt change in how we met for meetings had profound effects on meeting discussions. Many of the staff also began to telework to help diminish exposure, and this also had an effect on the day-to-day matters as well as staffing positions. Normal business took longer as employees were no longer an office or cubicle away. As will be discussed later, the pandemic had a rippling effect throughout the flow of business within the Bureau.

2. Political Election Cycle & Influences

It is normal during an election year to have an uptick in protest activity. The Bureau anticipated this and was gearing up for the traditional patterns this type of year brings. Portland has a strong history of demonstrations. What was not expected and could not be controlled were the negative references to the Bureau and police generally that appeared to inflame the situation.

There was limited public condemnation toward the violence and destruction that occurred in the city and against police officers. In addition, the District Attorney's statement to "presumptively decline to prosecute cases that don't involve deliberate property damage, theft or threat of force against another person." This was interpreted by some as license to engage in criminal activity.

Further complicating our situation was the following: false statements accusing the police of starting fires to incite violence; a City resolution to ban our ability to communicate with federal agencies; and a ban on CS gas.

Recommendation: Offer City Council opportunities to attend training and ask questions to better understand the Bureau's policy and public order theory.

3. Community Relations

All training manuals on public order discuss the importance of community relations in times of crisis and the value in having built the proper foundations prior to events. Over the years, this is an area where the Bureau has been criticized repeatedly for needing to improve. In recent years, the Bureau has worked to improve relations with the community through committees and workgroups and has made some progress, but still has much work to do. There is always room to improve law enforcements connection to their community and allow the community to be heard and be involved in improving the police agency that services them.

Throughout this event, the Police Bureau publicly encouraged dialog and a willingness to engage in conversations about police reform. PPB has made significant improvements in policies and training over the past eight years. However, it became apparent that many in our community were unaware of some of these changes and were demanding changes the Bureau had already made.

As the days of unrest continued, the nightly group changed its focus and began also attacking non-government buildings. This damage impacted many community members, including minority business owners.

4. Command & Control

ICS

Since at least 2010, the Police Bureau has been making strides to use the National Incident Management System when addressing incidents and events. Since 2019, commitment to the use of the Incident Command System (ICS) has greatly increased. In 2019, we had four Incident Management Teams (IMT) identified and mostly trained, and the program was overseen by a commander. In 2020, there were many retirements and movements within the Bureau and the number of trained individuals for the IMTs was significantly diminished.

Historically, the role of the Incident Commander (IC) for public order events has not been a sought-after position, as it carries a high degree of liability. The position requires specific training and few people have voluntarily migrated over to the program. Recognizing this deficiency in late 2019, an SOP was written that laid out new requirements that all members within the Bureau would need to be trained in ICS. Part of the plan was to begin training lieutenants and above, along with certain professional staff in specific ICS command roles, to ensure that for major events and emergencies, all members could function in an ICS command staff role. Additionally, all other Bureau personnel would be expected to have a better understanding of ICS and also operate within some ICS role.

In addition, the public order Incident Management Teams' quarterly meetings had been disrupted due to the lead IC having retired. Unfortunately, the pandemic hit a month before the special order and SOP was to be released, and the plan was delayed until the fall of 2020. Additionally, all planned training for new Incident Commanders in public order were cancelled as well.

This prior lack of succession planning hurt the Police Bureau's overall ability to staff positions within the ICS structure. This significantly impacted command staff positions, as there were only a handful of people trained to function within those positions and many also had other critical roles that were of high importance.

This shortage of position-specific personnel plagued the Bureau throughout the entire event in the IMT and in other areas. Many individuals worked countless hours in these positions because there were no replacements and their regular jobs within the Bureau either had to be back-filled or left vacant. As will be discussed in the other sections, unlike our regional model for public order ground units, the regional model is not yet to the level where we can insert outside agency personnel into our Incident Command Post because they lack the training.

National standards for IMTs to be operational is a 14- to 21-day rotations. Because we lacked the personnel, there were very few people who could rotate through and many were simply rotated to a different position.

At the time of this writing, the special order requiring the training has been issued and sign up for the ICS courses has been well above expectations. Additionally, the Bureau's Emergency Management Unit

has been working with FEMA to provide the position-specific classes for command in the summer or fall of 2021, COVID permitting. This should give the Bureau sufficient depth in all the positions.

Recommendation: Ensure that all sworn members receive the necessary ICS training outlined in the special order to ensure sufficient staffing of multiple IMTs to allow a rotation.

Recommendation: Work with regional partners to develop regional multi-agency IMTs, allowing for insertion of outside IMTs, using the state Fire Marshal's IMT model as a guideline. This would allow the home agency more personnel for other roles and would build experience throughout the state.

Recommendation: Reinstitute the quarterly IMT training and discussions.

Policy level input

Throughout any event, it is important to have policy makers provide guidance. This guidance helps the IC develop objectives and overall strategies to address the issues at hand. Unlike other events that last a few days or operational periods, this event allowed for many more opportunities to provide input, and sometimes policy-level guidance was provided just prior to the start of an operational briefing where objectives, strategies, plans and tactics had already been approved and were set. These last-minute changes were challenging at the IMT and operational levels because of a concern that any last-minute change to the already set plan might bring an error or flaw that could be missed.

Recommendation: Policy-level input is critical in developing the objectives and strategy in the planning for an event. Policy-level members should be aware of how the ICS process works to ensure they understand their role and need to provide timely input.

Incident Commander and initial response

In the first days of the initial response of the protests, the Bureau set up 12-hour operational periods with an IC for each period. Immediately, challenges arose when each IC was operating semi-independently of one another. After a couple of days this was quickly corrected and the event was placed under one IC who had deputies running the other operational periods to ensure that only one set of objectives was carried out and all workflow was on the same page.

At the same time as this correction, the operational period was expanded to 24 hours, with two shifts operating within the period. This alleviated many of the early problems around inconsistencies between the shifts and reduced the redundant writing of Incident Action Plans as the actual objectives changed little.

As the days passed and events began to have a more defined pattern toward night time, the day shift was shut down, leaving the night shift. Operational periods were expanded even further to two weeks in length as it became clear objectives were going to remain constant. Changes to the objectives happened only if the intelligence for a night indicated a need for an additional objective and they were added for that day only.

Recommendation: Maintain rotation of ICs in charge of a multi-period event for no more than 14-21 days, using deputies to assist as needed to maintain consistency of operations.

Recommendation: Unless the tempo of the event requires changing objectives often, utilize shifts within a longer operational period to avoid the need to write more IAPs.

Deputy Incident Commanders

As the nightly pattern developed, it allowed the Bureau to reconfigure to more efficiently use personnel. The Bureau prioritized the nightly unrest and built a division to strictly address the disorder. This brought some consistency to shift and work assignments. This restructure required the Bureau to have two IMTs working off-setting days to manage the nightly event: The IC running half the week and the Deputy IC (DIC) to run the other half. Because the Bureau still had regular police work on top of the unrest, there was a critical shortage of trained IMT staff. Additional personnel were identified as having received some of the command level public order training and they were brought in to shadow the senior IC. They were then shadowed by the senior IC and eventually put on their own to help fill the staffing gaps.

As discussed earlier, only a handful of personnel were trained in the ICS positions, but most could operate in several of the specific positions. Most of these individuals also had other critical leadership roles within the Bureau. When the public order division was created, there was a serious shortage of personnel that could fill all the IMT roles. Additionally, sometimes individuals were shuffled around into other positions to try to give breaks from the workload. Other times, persons were rotated to field command, due to injuries of the persons working those positions.

Although the new personnel understood the overall concepts and theories and could make sound decisions, they lacked the social connections from experience and there was sometimes a lack of trust from the field command and squads working in the field.

Additionally, each Incident Commander has a unique personality and style that plays a role in commanding subordinates. Subordinates must have time to adapt and adjust to those differences. Trust is a key component to working in this type of environment. Putting someone new into a position where there is already a rhythm and familiarity can cause frustration. This largely occurred due to the fact that there had not been time to establish relationships of trust and understanding that existed with more senior ICs.

Recommendation: Require all who will assume the role of Incident or Deputy Incident Commander to attend all Public Order Training to ensure they develop a working knowledge of the concepts and theories and build rapport with the public order teams.

Operational Briefings

The operational briefing is one of the most important parts of the ICS planning process, as this is where information is imparted to all of the team supervisors in the field. Normally, this briefing is in person, but COVID restrictions required all briefings to be done remotely via Zoom. The use of Zoom made it difficult to assess the remote members to see if all persons attending understood the instructions. To remedy some of this, when possible, field command usually had discussions after the formal briefing with the

supervisors in person to discuss tactics to ensure there was an understanding and questions were vetted out.

As usual, if something came up during the event, it was either relayed over the radio or calls were made to field command and they would pass on the information to squads. Field command took advantage of any lulls in the nightly activity to gather the squads and debrief on the spot and make adjustments immediately.

At the end of the night, field command would check in with squads for an informal briefing. They would later debrief the night with the IC and Operations Section Chief (OSC). Prior to the next shift's formal briefing, there would be another debrief of the previous night's actions to identify any additional thoughts or changes to strategy or tactics as well as address any new intelligence concerns. This ensured that the IC, OSC and field command were operating under the same understanding and helped ensure that as the nightly group evolved in tactics, the Bureau could adapt its tactics in a timely fashion.

Recommendation: If possible, hold all briefings in person to ensure command can assess the audience and know if the instructions are understood. When virtual meetings are required, increase communication between presenters and the audience to ensure instructions are clear.

Recommendation: Document all IC level briefings for review and critique.

Staffing the Incident Command Post (ICP)

To run an effective command post, there are a number of non-command staff positions that need to be filled. Under normal circumstances, the Bureau can fill these positions for short durations by pulling individuals and holding their normal work functions. In this event, there was no way to fill all the positions needed and still operate the other needed functions of the Bureau. Similar to command positions, the Bureau lacked the depth in trained personnel for these positions. This forced the Bureau to prioritize command post functions and only fill the most critical roles. Later, it was realized that this hindered the Bureau's ability to document in real time some of the necessary data that would later be required for litigation and financial purposes. One of the areas that did not get filled was the Documentation Unit. Later, it was learned that errors occurred in some of the nightly rosters due to last-minute changes of personnel. As mentioned previously, part of the SOP and special order issued in the fall of 2020 addressed the training of personnel to ensure in the future we will have depth in trained personnel in all positions.

Recommendation: During events, ensure at least one person is assigned to the Documentation Unit to track the checking in and out of units and where personnel are assigned.

Unified Command

On two occasions, September 26 and November 1 through 7, by executive order the Governor placed all law enforcement within Multnomah County under control of the Oregon State Police. In both instances, the order came out with less than 24 hours before the planned event. OSP had no time to write its own plan. After PPB briefed them of the plan, OSP and Multnomah County assumed command of the event

leaving PPB members in the IMT and field command roles. In both instances, Incident Command went extremely well. This occurred because of the established good working relationship among the three agencies built over the years. Although command did not know each other, the same familiarity and everyone's willingness to work together made the transition of control and operation smooth.

As with any large multi-agency operation there were a couple minor stylistic chain of command bumps in flow that occurred, but once identified and discussed, these were eliminated quickly.

Recommendation: Consider building multi-agency IMTs to address various hazards, similar to the State Fire Marshal's Wildfire Program.

Recommendation: Work to develop a statewide mutual aid plan for large scale civil unrest events.

Communications and the Joint Information Center (JIC)

Managing an agency's message has often been underappreciated and overlooked. In today's world, timely messaging makes a huge difference in whether the public views the agency's actions as legitimate or not. With social media, misinformation can spread very quickly.

To help assist this effort, the lead Public Information Officer has formed a Joint Information Center (JIC) for large-scale events held in Portland. This has been successful and so for this event, a Joint Information Center was formed early on. The JIC was modestly staffed for the beginning of the event and due to the length of time this event lasted, the JIC was upsized and downsized as needed. Graciously, other bureaus and agencies worked together to staff the JIC and message real-time information to the public on select. Fortunately, this group of Public Information Officers has worked together frequently and has good solid relationships.

However, throughout the event, the Bureau's Strategic Communications Unit was challenged with staffing. First, a good portion of the team was required to work remotely and had to participate in the JIC via Zoom. When events were very fluid, it hindered their ability to communicate with each other. The JIC had to be moved for security reasons and the only space available was a small room which also limited the number of people who could work in the JIC. The lead Public Information Officer (PIO) had two sworn officers who had not been fully trained. Other trained PIOs were involved in other roles and could not assist. Unfortunately, a highly trained member of the Unit was out on leave. Halfway through the summer, a Lieutenant who once served as a PIO joined the unit.

The Unit was innovative in getting as much accurate information out as possible. Real-time sharing of information that is accurate and transparent is difficult. The Communications Unit attempted to embed corporate media, use livestream and other methods to try to show the perspective from the Police Bureau. Temporary restraining orders and other challenges stopped many of these efforts. The Unit tried to obtain photos of weapons and items used as weapons, however, this was hampered by officers and detectives not sending them in a timely manner.

At times, false or incomplete narratives appeared on social media. There were days when the Bureau's Communications staff was successful in countering these narratives. Often, however, the Bureau, was unable to do so due to the sheer volume of people live-tweeting and livestreaming the events from their perspective. The act of livestreaming really took off during this event, with the ability of people to

actually make money from doing so. This meant that people from all over the world were at times watching only narrow perspectives of what was truly occurring.

Based on this experience, the Bureau could use additional trained communications staff. Not only were they understaffed during the event, but also the following day when media had questions about it. Although the Public Information Officer was able to bring on additional officers, they were not trained and learned on the job. They were expected to become experts in crisis communication quickly. The lead Public Information Officer worked weeks without a break.

In addition, this event garnered a significant amount of national media attention, with reporters who often did not have the correct or foundational information to accurately describe what was occurring. Dayshift Public Information Officers often had to supply much more information to those who were not familiar with Portland or PPB.

Social media posts published the Public Information Office's email on several viral posts. This caused a great amount of work as each PIO trying to answer legitimate questions had to wade through the thousands of "chain emails" in support of a cause. In addition, the nonsworn Public Information Officer is tasked with answering emails from the public. In a two-month period alone, the PIO answered 1,302 emails.

The Communications Unit was in reactive mode and had little time to make videos or educational graphics to illustrate all that was occurring. On a daily basis, the Unit must not only respond to questions, but must also create content to build relationships and disseminate information prior to demonstrations.

In an effort to improve transparency and provide an unfiltered view of the event from the police perspective, the Public Information Officer worked tirelessly to provide critical and accurate information to the public. Attempts were made to embed media into squads, but this was turned down as the media was openly attacked as being pro-police or biased. The Bureau then provided livestream from the ground which, when operating, appeared to change the groups' behavior, as they likely did not want to be captured on video committing criminal acts. Thereafter, a third temporary restraining order issued which banned the bureau from livestreaming anything further.

The flow of information, as discussed previously, really impacted the Strategic Communications Unit's ability to disseminate timely information. Later on in the event, Detectives were able to designate someone to provide arrest data in a more timely fashion. Other data needed, such as how many officers were injured and other helpful facts, could not be accessed.

The last-minute decisions to change to a unified command with Oregon State Police and Multnomah County Sheriff's Office also impacted the planning of the Strategic Communications Unit. The lead Public Information Officer's team had planned messaging prepared weeks in advance to use before and during the event. This all had to be rewritten and much of it was not used when the decision was made to go to a Unified Command. It also created issues and confusion regarding who was the lead at the JIC, which is an identified role in the ICS structure.

In addition, the Strategic Communications Unit had to address numerous other daily issues, including 893 shootings, 58 traffic fatalities, and 54 homicides.

Recommendation: Consider changing the communication Unit's supervisor to be a non-sworn professional with prior media experience to provide an outside perspective.

Recommendation: Ensure PPB has enough trained personnel in strategic communications. If they are not currently assigned to the Unit for budgetary reasons, ensure they are available to be transferred during a large-scale event. Additional people will allow for a more proactive response. It would also allow for an additional sworn member to be on the ground taking photos and coordinating the flow of information.

Recommendation: Find ways for the Bureau to better track, and report on, officers' injuries during protest events.

Mutual Aid

For the first couple of weeks, many regional agencies offered to provide aid. This came in several forms from providing patrol support to Mobile Field Forces (MFF) to other resources. Agencies that provided MFF assistance were agencies that had experience in public order.

After the first couple of weeks, the mutual aid stopped as other considerations impacted outside agencies' willingness to assist. They faced budgetary impacts and/or were responding to their own events. Some agencies publicly discussed that they were unwilling to use their resources and impact their budget to backfill cuts made to PPB's budget. The decision in Multnomah County to decline to prosecute certain crimes also had negative impacts on PPB's ability to gain mutual aid.

Other than in two events when the Governor ordered their involvement, Multnomah County Sheriff's Office (MCSO) and the Oregon State Police (OSP) declined to provide aid after the ban on CS gas was implemented.

MCSO and PPB operate out of the same building--the Justice Center (MCSO has the jail side on SW 3rd AV and PPB has SW 2nd AV). When this event started, each had their own command post and command structure and were protecting their own properties.

The Bureau's ICP had an in-person liaison from MCSO, the Federal Protective Service (FPS), and any other agency that PPB was working with to ensure we had direct communications. Challenges were encountered when PPB and MCSO had different philosophies and tactics regarding protecting the Justice Center building as it became a focal point of the nightly event. It took several weeks to come to a consensus on defending the Justice Center in the same manner.

Recommendation: Continue to build positive relations with our outside partners by continuing to train with them.

Recommendation: Work to rebuild relationships with outside partners and ensure all MOUs are up to date.

PPB had good communications and coordination with FPS, who protects the federal buildings on either side of the Justice Center. Being unable to communicate with our Federal Partners created a dangerous situation where PPB was barred from coordinating with federal agencies providing public order around their buildings. The City Council resolution of July 21, 2020, and stated in part: " all members of the Portland Police Bureau shall not provide, request, or willingly receive operational support (which

includes but is not limited to embedding in a federal incident command center, sharing or receiving information from above defined federal forces, engaging in policing or crowd control measures with above federal forces) from any agent or employee representing or constituting part of deployment under executive order from the President, be they from Department of Homeland Security, the U.S. Marshals Service, the Federal Protective Service, U.S. Customs and Border Protection or any other service.”

It is a common and best practice for different agencies to coordinate their efforts and responses when acting within a geographical area and addressing the same issues where they could come in contact with each other. The resolution posed challenges to these best practices. For example, some Alt Right extremists came into the area dressed in fatigues, creating an extremely high risk of a police-on-police casualty given the dress of the federal officers. To help mitigate this, the decision was made not to have the Bureau operate within a roughly three-block area around the courthouse where FPS was located.

Modifications to the resolution increased our ability to communicate with our federal partners, but still denied our ability to coordinate and communicate in public order situations.

Recommendation: Request reconsideration of the City Council resolution to allow unfettered communication with local federal partners during tactical public order situations.

Intelligence

Over the years, the Bureau has worked to improve how they plan for events by conscientiously building on objectives that are based on intelligence or actionable information, and then implementing resources that are directly tied to the objectives. The Bureau needed intelligence for three different purposes: operations, investigations and criminal. Normally, the Bureau has [REDACTED] individuals assigned to the Criminal Intelligence Unit and their focus is on criminal intelligence. They have over the years adapted to helping provide intelligence and threat assessments for upcoming events. For this event, again the Bureau faced challenges because it simply does not have enough personnel. Although they moved additional individuals over to assist with building better intelligence, the ideal would have been to [REDACTED] the size of CIU for this event by bringing in all of the Bureau’s analysts to assist. This was simply not feasible due to the length of time and the budgetary constrictions the Bureau was facing.

Because multiple agencies were impacted by this event, all were attempting to develop and gather intelligence to better help them know how to respond to the situation. Agency protocols and concerns about operational security sometimes constrained the sharing of information. As this event grew and more agencies were effected, each kept their own intelligence unit. Preferably, there should have been a combining of the units into one group that acted as a clearinghouse for all agencies and all intelligence. This effort may have provided synergy and streamlined identifying true intelligence.

What actually occurred was each agency developed their own intelligence and then would verify with each other that their conclusions were accurate.

Recommendation: Review MOUs and when possible, have all agencies combine to one interagency intelligence unit to be the clearinghouse for all information and routing of intelligence.

Intelligence Methods

There are multiple methods to gather information, and this event was no different than others. [REDACTED]
[REDACTED] As people focused on
engaging in criminal activity began influencing more of the evening activities, [REDACTED]
[REDACTED]

PPB successfully used Demonstration Liaisons Officers to work with the peaceful groups, which allowed the Bureau to focus all its other resources toward criminal activity elsewhere. [REDACTED]
[REDACTED]

Recommendation: PPB should bolster its ability to observe, identify, track and apprehend individuals committing criminal activity.

Logistics

Planning and Logistics play a critical role behind the scenes to ensure the execution of the operation plays out smoothly. There was a huge lift behind the scenes to ensure that the Operations Branch had what they needed to accomplish their tasks.

The Logistics Section Chief position was understaffed, similar to the other command positions mentioned previously. This position had been fulfilled largely by the three nonsworn Supervisor 1 positions from the precincts. To help spread the workload and expand the skillset of other Supervisor 1 positions, a change came early in 2020 with the onset of COVID to ensure that all Supervisor 1's from across the Bureau would be trained and learn to manage this position. Internally, there was some resistance to the culture change and a lack of acceptance that in emergency situations or special events, all members of the Police Bureau may be required to take on a role that they normally do not do in order to lighten the load and fulfill the Bureau's mission. This event clearly showed there is a need to have all members of the Police Bureau cross-trained to able to function in an ICS-specific position.

Recommendation: All members of the Police Bureau have an obligation to assist in times of emergency and under special circumstances. In order to effectively do so, all members need to be trained in at least one role within ICS.

Recommendation: Write this expectation of specific ICS roles into position descriptions.

One of the Logistics roles is to organize food and supplies, which can be complex based on the size of the needs. The pandemic made the normal challenges even more difficult due to the closure, curtailed hours, or limited staff of many businesses and organizations. This required additional forethought and time to ensure supplies were on scene when needed.

In the two instances where the Governor declared an emergency, the announcement was under 24 hours prior to the day command and resources were needed. The added personnel caused large challenges. Due to the pandemic, most food and supply orders required at least 24-to-48 hours' notice to fulfill. These last-minute food and supply changes were almost impossible to obtain for the additional resources.

Recommendation: Work with policy level persons to help with planning for last-minute changes that would impact Logistics.

Finance

Tracking of costs for personnel and expenses were an issue. Cost codes and the last-minute changes in squad assignments affected the Bureau's ability to accurately track everything. Additionally, the budget cuts created concerns with overtime costs and the ability to remain within budget, although civil unrest resources were given priority if needed.

Investigations

The length of this event had a chilling effect on the Bureau's ability to maintain normal investigative functions. Due to the shift of resources to ensure the Bureau could process batches of individuals at night, a large portion of the Detective Division was diverted to formal and field arrest. The assignment of Detectives to protest events changed their hours to swing shift, and severely impacted their ability to perform follow up on regular cases. Only the Homicide Unit was left intact due to the uptick in homicides.

The Detectives were broken into three teams: field arrest, formal and follow-up. As a result of repeated involvement in field and formal arrest teams, detectives were able to identify and build inefficiencies to the interview and booking process. This provided strong chain of custody trails for prosecution. There was a more robust follow up than the Bureau had before. The follow-up teams were in charge of [REDACTED] and other methods to capture more evidence of the crimes being sent to prosecution and this group also identified cases to be sent to Internal Affairs for further review.

As the backlog of regular work continued, one of the challenges was staffing both of these units effectively. It was difficult to determine the correct number of formal and field arrests personnel to assign because of delayed information about what would occur on any given evening.

There was frustration with the inability to do other work, knowing that most arrests came at or near the end of shift, usually in batches, causing both formal and field to run past shift. There was also frustration with the lack of prosecution. The division also did not follow the guidance of the IMT by having two shifts overlap on Saturdays. This caused some extra overtime, as Saturday was usually a heavier custody night and the division would have to hire detectives on overtime.

Finally, the staffing issues negatively impacted the Strategic Communications Unit's ability to put out timely and accurate information, due to the slow release of information to them.

Recommendation: Update SOPs for Formal and Field arrest to reflect the learned efficiencies.

Operations -Command

Similar to other command staff positions, this position had staffing issues. This position in particular needs to have a unique set of skills and few people in the Bureau have them. The Operations Section Chief for public order needs to know the capabilities of each unit, be able to foresee future operational challenges and provide clear and capable missions to the field, while remaining calm throughout. The majority of personnel with those skills have been members of the public order team, RRT, and many had to hold other critical positions and were unavailable during this event.

Throughout the entire event, we had very few persons to choose from and toward the end, began training sergeants to fill in for this position similar to the IC position.

Recommendation: Already addressed with SOP and mandatory ICS training for all sergeants and above to ensure we can operate for multiple operational periods.

Ground Operations

The Portland Police Bureau has never faced such a long, drawn out, and intensely hostile group as was experienced in this event. The 2003 war protests and more currently, the 2010 Occupy event, had periods of unrest, but neither was as long in duration or saw the sustained criminality and violence that this event contained.

In the opening days of this event, a high level of civil unrest occurred. PPB quickly distinguished between the peaceful protests and the civil unrest that contained criminal and threatening activity, focusing its efforts to attempt to quell the criminal activity, while also trying to not exacerbate the situation.

Due to the intensity of the threat of criminal activity and violence directed at the police, there were many nights when an unlawful assembly or riot was declared, and force, including less lethal munitions and Riot Control Agents, were used to try to stop both the violence and criminal activity.

For fifteen straight days after the night of May 29th, all days off were cancelled and all available officers were working to attempt to quell the destruction and violence. The officers were working thirteen to eighteen hours a day. The IMT recognized that even though the situation had not changed and was as perilous as ever, the increasing odds that an officer might make an error due to fatigue became untenable. The Bureau was running up against the physical constraints of what humans can do and the Bureau could not continue the tempo without facing error(s) and thus, began to slowly give officers their days off again.

Shortly thereafter, the Bureau created a Public Order Division to deal with the nightly civil unrest.

5. Tactical Response & Use of Force

Since roughly 2014, the Police Bureau has strived to work under the Negotiated Management Model developed in Europe when dealing with public order. The Negotiated Management Model works to avoid conflict through negotiations, allowing minor civil disobedience and avoiding arrest for such, while keeping officers in protective gear out of sight until needed.

The Negotiated Management Model has its limitations in that it requires a group that is willing to communicate and work with the police. The model does not work with groups that do not believe the police are legitimate. For events where groups do not believe the police are legitimate, the only model that can successfully prevent significant criminal behavior is enforcement. The challenge for law enforcement is how to address these groups while they are enmeshed within peaceful and non-criminal groups.

After only a few days, the Bureau was able to assess and determine that it had both peaceful groups and hostile criminal groups. Throughout the event, there were many different groups who marched and demonstrated with thousands of people. These groups self-policed themselves and remained peaceful. The Bureau was able to avoid any conflicts with these groups and simply deployed Demonstration

Liaison Officers (DLOs) to help understand the group's objectives, keep an open line of communication if they desired, and avoid conflict, even warning them of where the unrest was happening so they could avoid it.

For other groups, the Bureau would attempt to first avoid conflict and force by using a variety of non-force intervention methods, such as: social media posts, DLOs, sound truck announcements, admonishments, exhortations, warnings, declarations, physically removing officers from the area, remaining inside facilities, arriving early into an area to have a police presence, stop sticks, vehicle stops, vehicle intervention techniques and selective arrests. When non--force attempts failed to stop the criminal activity or the threat against police facilities, force was used as dictated by the situation. This included all forms of force except lethal force.

The Bureau's tactical response was based on the situation it faced. Similar to the Occupy Portland event in 2010, the group evolved their tactics in an attempt to thwart police tactics. As a result, the Bureau was constantly looking at adjusting, adapting and evolving its tactics to counter the groups.

One area of tactical response where the Bureau was deficient was the inability to deploy officers on mountain bikes en mass. In prior years, this had been a standard response to public order events for the Bureau, due to a bike officer's nimble ability to get to locations quickly and the broader accepted soft look of officers in bike uniforms. This program for bike training was cut several years ago and few members are currently trained in this tactic. Toward the end of the event, bike deployments were made on a limited basis by the Rapid Response Team and proved very effective.

The bike program was reinstated into Advanced Academy beginning in 2020, but it will take several years to bring the program back to where it was in 2012, where up to 100 officers could deploy on bikes.

Recommendation: Continue to train new officers on mountain bikes during Advanced Academy and work to use mountain bikes for public order deployments. Seek additional training officers interested in bike certification.

Deployment of less lethal munitions and CS Gas

At the beginning of this event, the Bureau was unprepared and understaffed for the level and intensity of the violence and criminal behavior. It relied on less lethal munitions, including CS gas, as a force multiplier. Within days (June 9), a temporary restraining order (TRO) was issued initially over COVID concerns. This TRO limited the use of CS gas to "life safety" situations. Further modifications of the TRO were added June 26th to also include the majority of the Bureau's less lethal munitions.

The subsequent ban on the use of CS gas impacted the Bureau's tactical responses.

Additionally, the nightly group rapidly adapted to police tactics by outfitting their members with protective gear and gas masks. This, coupled with the TRO regarding munitions and ban on CS gas, drastically decreased the options the Bureau had to engage the crowd and disperse them when necessary. This meant that the squads had to engage the group at close quarters and increased the use of other physical force to disperse the group.

This increase in close-up physical force appeared to increase the number of complaints against officers as well as the number of injuries officers were sustaining on a nightly basis. Several members of RRT

were taken off line, due to the number of complaints each was receiving, while others took time off to heal from injuries, thereby further reducing staffing.

Recommendation: Investigate alternatives to less lethal munitions for crowd control events.

Reporting

Per policy, an officer is to write a Force Data Collection Report (FDCR) for each person on whom force is used. The FDCRs are then reviewed by their supervisor, and an after action is created. Depending on the type of force, both the FDCR and After Action may continue to be reviewed through the chain of command. Under normal conditions, there are only a couple of dozen FDCRs (at most) generated a day for the entire Bureau, averaging two-to-three after actions per sergeant per week.

The FDCR and the process of review for the FDCR was not designed for extended, large-scale public unrest where officers use multiple numbers of force applications. Additionally, there are times when multiple uses of force occur in a single event or incident, without a break to stop and document for extended periods of time. The FDCR was designed to collect minute details of a single encounter that would provide many data points to meet the needs laid out in policy. For this event, the process and system failed for a variety of reasons.

The first reason for the failure was the sheer volume in the number of reports. Each squad was producing six-to-twelve FDCRs daily. Under normal public order circumstances, officers return at the end of the deployment and write a report documenting the usage of force which, during a normal event, averages at most a couple of uses of force. Their squad sergeant then spends the next day reviewing all the reports and writing an after action to cover the incident. In addition, the sergeant writes their own summary of events of what occurred with the squad during the event. For this event, it was only a matter of days before squad sergeants had no time to review reports or write an after action, as they needed to return the next day to manage their squad.

The second failure was due to fatigue. The first several weeks of this event were chaotic at best, with widespread criminal civil unrest. Officers were exhausted from working extremely long and physically demanding hours and would then return at the end of shift to write an FDCR for their uses of force for the day. Under these conditions, the quality of the narrative and the ability to remember all uses of force was, at times, negatively affected. Officers were encouraged to make notes if they could in the field between engagements, but other than a few breaks to relieve themselves or eat, there was no time to stop to write a report in the middle of the deployment. At the end of the day, every minute writing was one less minute sleeping.

Fatigue also affected officers' immediate supervisors. Similar to the officers, the normally detailed review of FDCRs and the ability for the supervisors to catch errors and cross reference uses of force was not possible under these circumstances.

The problem was discovered when the force analysts began auditing the reports and found a higher-than-normal numbers of errors. By then, due to the operational tempo, hundreds of reports were already in the system. Once realized, the Chief's Office brought in several supervisors from the street to focus on reviewing the backlog of the FDCRs, new incoming FDCRs related to the event and write the required after actions). The data input from the backlog from the early days of the event is still ongoing.

Recommendation: Review use of force policy for the ability to develop an abbreviated FDCR and process to better streamline the capturing of data and flow of review for public order force reports.

Recommendation: Revise the Force Data Collection Report to collect all necessary data in crowd control situations, and implement an electronic system, such as SharePoint, for collection and tracking.

Recommendation: Assign specific personnel outside of public order actions to review force and write the after actions.

Recommendation: Develop an updated tracking system for after actions.

6. Equipment

Mobile Field Force

Historically speaking, over 95 percent of demonstrations in the United States are, on average, peaceful. In the past, Portland's demonstrations have followed a similar pattern. The Bureau's Mobile Field Force officers have always been outfitted with the basic ballistic helmet with face shield, PR24 baton and Air Purifying Respirator (APR). The less lethal operator carries a 40mm less lethal launcher and/or squad sergeant is usually outfitted with a large can(s) of pepper spray. This has been adequate for most events.

This bare minimum level of equipment was inadequate for the clashes PPB encountered during this large-scale and ongoing event. Due to the number of improvised explosive devices (illegal fireworks) and incendiary devices thrown at and exploded near officers, an OSHA complaint was made regarding hearing protection. The Chief's Office responded by developing new helmets with ear protection. The purchase of these helmets was recently approved by the City but the helmets are still months out from delivery.

Additionally, it was identified that all officers exposed to the nightly barrage of projectiles and hostilities should have had more protection similar to the Rapid Response Team. Unfortunately, there were no funds available to purchase such gear and even if the funds were available, there was no gear available to purchase anywhere in the nation as all law enforcement agencies were equipping their members.

Recommendation: Seek feasible funding source for purchase of appropriate equipment for MFF unit.

Rapid Response Team

Just prior to the start of the protests, Portland's all hazard team purchased a new type of gear (ZION) that is worn under the uniform. The gear is composed of a body suit that is a carrier that has pads that fit into it, somewhat similar to downhill mountain bike riding gear or American football padded pants.

The gear gave the team a softer look, while still providing the necessary protection. It was previously tested by several members of the team, but it had not been used by the whole team for an event.

Because the gear is worn under the uniform, the team found it was necessary to wash the carrier every night. Under normal circumstances where the operational period lasts a day or so, this would not be an issue. In this event, night after night, the officers faced the additional burden of taking the equipment apart, washing and drying the carrier, and then reassembling the suit each day.

Wear and tear on the gear was also much higher than usual and it was found that some of the carriers began to wear out at certain points. The team is currently working with the company to improve the carriers and padding.

The Zion gear is also relatively expensive and under the current budget it will not be possible to replace or expand the inventory.

Eye protection

Due to the number of lasers being used in the beginning of the event, the Bureau needed to purchase eye protection sufficient for protecting against lasers. There were several challenges to this. [REDACTED]

Finally, they are expensive and hard to obtain because many law enforcement agencies were also trying to buy them.

We were able to purchase enough goggles to protect RRT and a few MFF members against the strongest lasers. To our fortune, the nightly protests shifted to the Federal Courthouse and most of the lasers were directed at federal officers and not our own members. After the public arrest of several laser welders and filing of felony assault charges, the number of persons using lasers dropped off almost immediately.

Recommendation: Consider in advance possible equipment needs by tracking trends from other areas. Many of the trends we encountered were direct offshoots from actions that occurred in other parts of the world.

7. Training

Under normal conditions, the Bureau trains all members in Mobile Field Force procedures once every four years. This cycle coincides with the presidential elections. The Rapid Response Team is normally scheduled to train twice a year, in the spring and fall, and every other fall they hold a regional training session with the other teams in the area.

Due to COVID restrictions, all in-person yearly in-service training for the Bureau was cancelled. Classroom portions of the in-service were recorded and presented to members via the intranet individually, but all skills-based classes were not able to be replicated due to the restrictions of COVID. Thus, the skills portion of MFF training did not occur.

Although the two hours of skills in MFF refresher may have helped, it is hard to determine the value of a brief refresher. As it was built, it is difficult to say if it would have changed anything, as the Bureau regularly uses MFF for a variety of public order events throughout the year. Had the Bureau had the foresight to know what was coming, an entire day of MFF refresher might have been beneficial.

More than twenty officers were promoted to the rank of sergeant at the end of 2019 and beginning of 2020. Many of those sergeants were assigned to afternoon and night shifts. Due to the pandemic and the postponement of academies, none of these sergeants had received MFF supervisor training that is normally part of the sergeant's academy.

Additionally, all RRT training was cancelled due to COVID, as well as the annual regional basic course for new members. RRT was able to put on an abbreviated training for the new members joining the team during the event. Those new members will be required to attend the regular basic course when it is given.

Even with the training cancelled, the regional training model that was created years ago for the public order teams proved effective. Having the various teams work together over the years allowed the different teams to work with familiarity and efficiency at all levels from the ground to command. This allowed the teams to integrate almost seamlessly when needed. There were some small bumps, as different teams were brought in and had not faced the changing evolution of crowd tactics, but this is understandable.

In addition to the regional teams training together, parts of Oregon's security forces of the National Guard have also been training with the local teams for years. The foresight in working and training together allowed for seamless integration and familiarity with the law enforcement teams when the National Guard was activated. There was complete confidence in the National Guard unit's abilities because of the prior training and relationships.

Finally, the integration of Portland Fire medics into the squads and command at the IMT level had a significant impact on our ability to efficiently determine medical or fire situations in the moment, and to direct the appropriate resources to address the issue. This training began years ago and has continued to pay large dividends time and time again. This was especially true for this event, due to the number of fires that were set and incendiary devices thrown. Having Fire personnel there to be able to determine what needed to be addressed and what could be ignored saved many hours of time for both Police and Fire resources.

Recommendation: Conduct a comprehensive review of in-service training for Mobile Field Forces, including the lessons learned from this event, to improve MFF performance.

Recommendation: Additional training for sergeants running Mobile Field Force with an emphasis on leadership and decision-making practice and scenarios.

Recommendation: RRT training should continue to focus on all hazards to ensure that they are well-rounded and able to rapidly adapt to evolving tactics.

Recommendation: Regional basic and biannual group training should continue to include National Guard units to maintain the operational familiarity and cohesiveness of all units involved.

Recommendation: Explore expanding the regional basic and biannual group training to include more agencies, and possibly agencies from Washington State.

Recommendation: Expand the current basic and biannual models to include command-level training.

8. Constitutional Rights

Part of every Incident Action Plan includes “protecting First Amendment activity” as a priority and is covered in every operational briefing. The Bureau’s policy on public order highlights that free speech is a constitutionally protected activity. All public order training highlights this. All officers are trained to focus on criminal activity when taking any action during such events. Throughout this event, thousands of people were allowed to peacefully exercise their First Amendment rights and protest without any interaction from the police. The Bureau also highlights the First Amendment protections of freedom of the press to officers during training and within its policy. Traditionally, members of the media are well-marked and fairly easy to identify. However, the designation of “press” has broadened to include individuals now independently reporting with nothing more than a cell phone from which they are livestreaming. Because of this, the ability to identify members of the press has become increasingly difficult.

Additionally, because some of these individuals have no formal training in journalism, there were times when the lines were blurred and they would claim that they were “press,” but would then engage in criminal actions (such as, interfering with the police or vandalism).

On July 2, the Bureau received its second temporary restraining order (TRO), which stated media and legal observers could not be removed from the area when the Bureau was ordering individuals out of an area because of unlawful or riotous behavior. Within days of the TRO being issued, hundreds of “press” stickers were made and handed out to individuals in the group. At times there were more persons in the crowd with “press” markings than those without. Those wearing these stickers also made homemade credentials to hang around their necks, making it impossible to identify an actual person working as media and protesters using the label in an inappropriate manner.

The results were officers bypassing individuals marked as “press” who would then assault the officers from the rear, as the officers pushed the crowd from the area after declaration of an unlawful assembly. On September 5th, the TRO was modified to allow officers to arrest those people with “press” labels who were interfering with police. This modification helped to some degree, but there were still people labeled as “press” participating in illegal behavior who could not be addressed due to the need to deal with the larger group.

Recommendation: Continue to highlight the importance of the First Amendment and important related case law at all public order training.

Recommendation: Work with the City Attorney’s office to develop a definition of press in PPB policy.

9. Accountability and Transparency

The Bureau has systems in place to help identify and hold officers accountable for their actions. During this event, some people used the information on officers’ name badges to dox officers and post publicly their personal information, including sometimes the names of family members. To protect the officers from unnecessary abuse, the Bureau switched to using the officers’ city-designated personnel number. This was done following the after action recommendation from PERF that came out of Ferguson, Missouri. All officers were to print out a sticker to place on their outer garment with this number attached. Initially, there were a few instances of individuals not printing the sticker in the correct font or handwriting a sticker, but these instances were quickly corrected. Initially, there was public outcry that

officers were unidentifiable and that officers would not be held accountable for their actions, and concern that the personnel number was too long to remember. Ultimately, the quartermaster issued all employees a large three-digit helmet number that will be used in the future for all sworn employees. This number will remain with the employee through their career and only be recycled after the employee leaves the Bureau.

During the protests, there were an increased number of complaints filed with the Independent Police Review, a division under City Auditor's Office assigned to review police complaints. All of those complaints are being reviewed and processed as appropriate.

Another part of transparency is with data collection and reporting. There were vast amounts of data. The Bureau had no system in place to timely collate such large volumes of data, and in some cases even realized there were data points not being collected that should have been. The Strategic Services Division is reviewing the issues surrounding this data collection and building a solution.

Recommendation: Continue the use of large numbered and individualized helmets for easy identification during crowd control events.

Recommendation: Revise the FDCR and AAR data reports and seek a technological solution to the gathering and tracking of data.

10. Officer Resilience

One of the biggest concerns throughout this event were the attacks and trauma faced by the members on the ground. To help all officers work through this, EAP and wellness information was pushed out almost daily to the staff. It was also arranged to have several voluntary group counseling sessions. The sessions were well-attended and feedback was positive.

Since RRT was in the forefront of this, the Training Division built a customized two-week wellness program for them and provided it the conclusion of the event. This program included several debrief sessions, group and individual counseling sessions, family counseling, and mindfulness, with the purpose of ensuring that the affected members could return to normal patrol without lasting effects.

Additional wellness efforts are planned for the Mobile Field Forces, command and other Bureau members. The 2021 in-service will also be used to continue to reach out to officers who might still be affected by the event.

Recommendation: Training Division should provide all supervisors with a review of PTSD signs and symptoms to allow supervisors to monitor their members so that those that exhibit signs of trauma are offered and referred to EAP services.

11. Anarchists

Throughout this event, anarchists played a substantial role. It was clear that the anarchist groups from Portland and Seattle, Washington, were openly working together to coordinate planned attacks and help each other meet their goals. [REDACTED]

The peaceful protests ran almost nightly for a month. Thereafter, they occurred less frequently. The Anarchists' actions occurred almost daily for the 170 days, and as of this writing, they continue to attack almost weekly, focusing now on businesses, law enforcement facilities, and other locations. As this event played out, the Anarchists appeared to become more comfortable with the situation and publicly revealed their interest in destroying government and abolishing capitalism.

It should be noted that although the regular nightly attacks on Portland have stopped, the Anarchist group continues to commit criminal activity on a weekly basis within Portland, as well as other locations in the metropolitan area.