

<b>Title of Recommendation</b>	Amending Foot Pursuit Directive to Reduce Scenarios in which Use of Force is a Predicable Outcome		
<b>Author(s): (Subcommittee or committee members)</b>	Andrew Kalloch, Settlement Agreement and Policy Subcommittee	<b>Date presented</b>	June 23, 2020
<b>Summary of Recommendation:</b> Amend foot pursuit policy to further limit use of force to situations that pose a threat of serious bodily harm to officers or the public.			

**Explanation of recommendation:**

In Minneapolis, George Floyd was believed to have committed a non-violent, low-level offense (passing a counterfeit \$20 bill). In addition, he was known by the police to be unarmed (they searched him upon arrest).

Despite these facts, the police continued to impose greater force in response to supposed "resistance."

This recommendation is designed to prevent such disproportionate force from ever being applied in such a circumstance simply to effectuate an arrest.

To its credit, PPB has policies that provide guidance on this issue. For instance, [PPB Directive 0630.05](#) states that officers may only initiate a pursuit of a suspect fleeing in a vehicle (i.e. vehicular pursuit), "when there is reasonable suspicion to believe the suspect committed a felony person crime or where the suspect's driving conduct, prior to the initiation of a stop, displays a willful disregard for the safety of others that reasonably places the public in immediate danger of serious bodily harm or death."

Importantly, that directive calls on officers to "balance the safety risks posed to the community against the benefit of capture before initiating and while continuing the pursuit."

[PPB Directive 0630.15](#) governs "foot pursuits" and is currently under review. That directive states, in part, that foot pursuit should not be engaged, "If the sworn member

believes that the danger to the pursuing sworn member or the public outweighs the necessity for immediate apprehension.”

PCCEP believes that this directive gets the “burden of proof” backwards. Instead of assuming that a foot pursuit is reasonable and should *not* be engaged in only if the danger is too great, PPB’s policy should *only allow* foot pursuit in certain defined circumstances, such as:

1. Where the failure to secure apprehension will create an imminent risk of serious bodily harm to officers, the public, or the suspect; or
2. Where the individual being pursued is suspected of a “violent felony” as defined in Oregon State Law ([ORS § 419A.004](#)).

As a result, **PCCEP recommends that the Bureau modify Directives 0630.15** to reduce potential misuse/overuse of foot pursuits—and the force that can accompany a foot pursuit—against individuals who pose no immediate threat to the officers/public or who are not suspected of committing a violent felony.

This is not a far-fetched scenario. We have seen the tragic consequences of such chases in Portland. Specifically, James Chasse, a man with a diagnosed mental illness, was killed by Portland Police Bureau officers following a foot chase in September 2006.

Furthermore, we note that a [recent Police Review Board Report](#) highlighted a case involving a foot pursuit and indicated that training on foot pursuits may not match the policy. **Regardless of the change made to Directive 0630.15, training should be congruent with the policy, as written.**

**How does this recommendation redress barriers to racial equity?**

By limiting the cases in which use of force is the default, this policy change could reduce the number of use of force incidents across the board. Given that force has been disproportionately used against people of color, the policy stands to redress longstanding barriers to equity.

<p><b>How does this recommendation improve outcomes for people with behavioral health issues, challenges and /or in crisis?</b></p>	<p>By limiting the cases in which use of force is the default, this policy change could reduce the number of use of force incidents across the board. Given that force has been disproportionately used against people with behavioral health issues or who are in crisis, the policy stands to redress longstanding barriers to equity.</p>
<p><b>How were marginalized and underrepresented communities, including those who will be affected by this recommendation, engaged to shape, write and otherwise develop this recommendation?</b></p>	<p>The recommendation was discussed at PCCEP's special meeting on Sunday, June 7, and received broad support. It was further refined and brought to the Settlement Agreement and Policy Subcommittee on June 10, where it received additional feedback and improvement.</p>