

## Guidance to Presiding Officer of City Board/Commission

Under Oregon Public Meetings Law ORS Chapter 192 and pursuant to Portland City Code (PCC) 3.02.060, the Presiding Officer of a City board or commission has the authority to maintain decorum and to keep order at a public meeting of the board/commission.

As a way to manage the meeting, the Presiding Officer may eject and order a person to leave the meeting when the person engages in disruptive, dangerous or threatening behavior/activity.

<p><b>What conducts may lead to ejection?</b></p>	<p>A person may be ejected for disruptive, dangerous or threatening behavior at the meeting. PCC. 3.02.060.C; PCC 3.02.060.J.</p> <ul style="list-style-type: none"> <li>• Disruptive behavior/activity: if the person engages in any conduct that obstructs or impedes the orderly carrying on of the business of the meeting. Such conduct includes, but is not limited to: any conduct that substantially prevents any other person from hearing, viewing or meaningfully participating in the meeting; any conduct that substantially interferes with ingress or egress to or free movement within the meeting room; shouting over, or otherwise disrupting, any person who is recognized by the presiding officer; any conduct that substantially interferes with City business conducted by City staff present at the session; or failure to obey any reasonable direction of the presiding officer.</li> <li>• Dangerous or threatening behavior/activity: if a reasonable person, exposed to or experiencing such behavior, could believe that the person was in imminent danger of physical harm from the behavior.</li> </ul>
<p><b>What does the presiding officer do to maintain order?</b></p>	<p>Maintain control of the meeting. Inform attendees of expectation of acceptable behavior and consequences of misbehavior. Give verbal direction, admonishment or warning.</p> <ul style="list-style-type: none"> <li>• Ejection can occur after giving the person engaging in disruptive, dangerous or threatening behavior a warning to cease the behavior/activity, and the person does not cease the behavior/activity following the warning. PCC. 3.02.060.C.</li> <li>• If the presiding officer reasonably believes that a person's dangerous or threatening conduct constitutes an emergency, the presiding officer is not required to give the person a warning before ordering the person ejected. PCC 3.02.060.C.4.</li> </ul>
<p><b>Sample warning</b></p>	<p>"[This/Your] conduct is now disrupting the meeting. This is a warning that if there is continued or further disruption of the meeting, the person(s) engaging in disruptive behavior will face ejection from the meeting by [<i>person in charge</i>]. Anyone who refuses to leave the meeting room when told to do so by [<i>person in charge</i>] will face arrest for trespass."</p>
<p><b>Who is a person-in-charge to ask disruptors to leave?</b></p>	<p>Persons-in-Charge for City boards/commissions are designated in PCC.3.18.010.E.</p> <ul style="list-style-type: none"> <li>• The presiding officer of the public meeting of a City board or commission.</li> <li>• Any person providing security services at the public meeting of a City board or commission.</li> </ul>

	<ul style="list-style-type: none"> <li>• A Person-in-Charge in PCC 3.18.010 A. <ul style="list-style-type: none"> <li>○ Portland Police Bureau.</li> <li>○ City contracted security officer.</li> <li>○ A Bureau property or facility manager, or designee, in charge of the meeting space.</li> <li>○ A bureau director (or manager) if the meeting is held in the bureau's assigned office space.</li> <li>○ Any person specifically designated in writing by the Office of Management and Finance Chief Administrative Officer or by the Bureau of Internal Business Services Director.</li> <li>○ If present at the meeting, the Mayor, a Commissioner or Auditor, or designee of these elected officials.</li> </ul> </li> </ul>
<b>How long does the ejection last?</b>	An ejection from the meeting will be for the remainder of the meeting. PCC. 3.02.060.C.1.
<b>Sample Ejection Verbiage for Person-in-Charge</b>	"You were warned before. Your conduct is still disrupting the meeting. Please leave right now. Don't come back for the rest of this meeting. If you don't leave now or if you come back during the meeting, we will call police to arrest you for trespass."
<b>What to do after the ejection?</b>	<p>Document the incident.</p> <ul style="list-style-type: none"> <li>• Coordinate with bureau staff providing administrative support and on-site security or facility personnel to document the events leading to the ejection. Include as much details of who, what, where, when, why, how, etc. as available.</li> <li>• Obtain statements from board/commission members, staff and/or attendees.</li> <li>• Send incident report to the Bureau of Internal Business Services of the Office of Management and Finance, or the bureau that has property management authority or responsibility over the meeting space.</li> </ul>
<b>What can the presiding officer do about disruptions outside of the meeting room (i.e., in the hallway)?</b>	<p>When a person creates disruption outside the meeting room, the disruption would be addressed by building security or facility management personnel, not the board/commission personnel.</p> <p>All persons who enter into a building would need to comply with the basic rules of conduct for the building as those rules are established and enforced by property management to ensure that the building/property can function as intended.</p>
<b>What if disruptions outside of the meeting room interrupts the meeting?</b>	<p>If disruptions outside the meeting room interrupts the meeting (such as excessively loud noises in hallways that prevent meeting the board members to hear themselves inside the meeting room), then the presiding officer or administrative staff should contact the building security or property manager about the disturbance, and ask security/facility to handle the disruption.</p> <p>The Presiding Officer may choose to pause, recess or cancel the meeting as appropriate if the board/commission is unable to conduct the meeting due to the external disruptive situation.</p>
<b>If I am in a City building, what are the Rules of</b>	<p>In general, when you enter a building, look for building signage that identifies the applicable Rules of Conduct for all visitors.</p> <p>PCC 3.18.020.B provides a set of Rules of Conduct to govern behavior at City Properties</p>

<b>Conduct that applies to all visitors?</b>	generally. These general Rules of Conduct will cover the City Properties managed by the Office of Management and Finance (OMF) which include Portland City Hall, Portland Building, and the 1900 Building.  Other City property management bureaus may have rules specific to properties under the bureaus' administrative responsibility. Check with the bureau serving as property manager.
<b>If I am in a privately owned (non-City) building, what are the rules of conduct?</b>	Similar to above, the private owner can establish the rules of conduct to govern behavior of visitors. Look for posted signage, or ask the building personnel (front desk security, property manager, or the entity that permitted the City to use that site).  In general, failure to obey the rules set by the property owner will allow the property owner to eject the person.

Dated: April 20, 2017