



CITY OF PORTLAND, OREGON



Bureau of Police

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Directive 1025.00, Police Operations at TSA-Governed Airport Facilities Executive Summary

Introduction

Directive 1025.00 establishes guidelines for Portland Police Bureau members when conducting business at the airport facilities. The directive was originally titled, *Firearms at Portland International Airport*, but re-titled to clarify that Bureau members are subject to federal Transportation Security Administration (TSA) regulations and training requirements at any TSA-governed airport facility and not just Portland International Airport. The Bureau enacted the directive in January 2006, and it has not been modified since its creation; however, the Bureau recognized the need to update the directive to reflect current airline and federal requirements.

Public Comments

PPB solicited and collected comments from members of the public and Bureau members during both universal review iterations (1/4/17 – 2/3/17 and 3/24/17 – 4/7/17). The policy team compiled all of the information and reviewed each comment for potential inclusion in the updated policy. The comments ranged from general statements to more precise recommendations, to include clarifying how far in advance members need to notify Port of Portland Police (“Port Police”) of pending trips; cross-referencing policies from the Port of Police department; defining what “official business” entails; and explaining what members are allowed to do in privately controlled areas during an emergency situation.

Providing Notification Regarding Member Travel

Due to the nature of some police duties, members are not always afforded sufficient time to provide narrowed or specific timeframes of travel, and therefore rely on a certain level of flexibility. As a result, it is not feasible for PPB to require its members to notify Port Police within a specific timeline, but they are required to do so prior to travel.

Availability of Other Agencies’ Policies

PPB members are required to abide by Bureau policies and/or any agreements with other law enforcement agencies that may be in place, which could direct PPB members to comply with the procedures set forth by other agencies. The availability of an outside agency’s policies is determined by the outside agency. However, all TSA and airline specific guidelines are generally available on the respective website.

Defining Official Business

The Bureau has revised the section regarding “official business” to clarify what is meant by that term. The section sets forth a variety of functions that are considered official business, though the scope of those duties is wide-ranging, and the list does not encompass all the responsibilities of a PPB member while on-duty.



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Coordination with Non-Commercial Aircraft Entities

Just as PPB members are expected to coordinate with Port Police, members are also required to contact and coordinate with the appropriate security entity when seeking to gain access to areas where non-commercial aircraft entities are located. Section 5 of the directive, “Non-Commercial/Private Aircraft Companies Located at Airports” directs member behavior in this regard. In any emergency situation under their jurisdiction (i.e., on airport grounds), Port Police or, when outside of Portland, the local airport law enforcement agency has the authority to manage the law enforcement response and direct member actions.

We thank every individual who took the time to read the draft directive and provide input. All comments received are attached at the end of this document; all personal information has been removed to protect the privacy of commenters.

PPB’s Proposed Policy

In an attempt to address certain gaps or omissions in the original policy pertaining to notification, cooperation with other law enforcement entities, and traveling in an official capacity, PPB included in the updated policy more specificity regarding coordination with Port Police for tactical operations or official business at PDX, navigating through security checkpoints, and flying while armed. PPB also included additional language to ensure that members carry the proper documentation and credentials to present to airline personnel and TSA agents when requested, to address what members should do when confronted with boarding issues, as well as what they should be aware of when flying while armed. Additionally, PPB added a section regarding prisoner transport to specifically address what members should do under that circumstance, because PPB occasionally performs that task to assist the Multnomah County’s Sheriff Department. Lastly, PPB also minimized language in the “Non-Official Business” (previously known as *Personal Business*) section because PPB members who travel while off duty are subject to the standard TSA-established airport regulations that are applicable to all members of the public.

PPB is confident the proposed policy provides more clarity and guidance to its members, however, any suggestions to further improve this directive are welcome during its next review.

**Please note this is the final public review period for Directive 1025.00. We are no longer accepting comments at this time. All comments received are at the end of this document. We thank you for your time and feedback.*

1025.00, Police Operations at TSA-Governed Airport Facilities

Final Review 4/13/17-4/27/17

Refer:

- 49 CFR 1542.215; 1542.217 (Transportation Security Administration -TSA/Federal Air Marshal Service)
- 49 CFR 1544.217; 1544.219; 1544.221
- TSA Special Procedures for Law Enforcement Flying Armed (located at TSA.gov)
- Federal Air Marshal Service AM message
- Notice to Armed Individuals form (Airlines)
- Detective Division SOP

Definitions:

- Checked: A term referring to checking luggage in at the main ticket counter to be loaded aboard the aircraft by airline employees.
- Gate security checkpoints: Those areas containing metal detectors and x-ray devices that are used to scan passengers and their carry-on luggage for contraband.

Policy:

1. The purpose of this directive is to establish rules and guidelines for Portland Police Bureau members when traveling while armed or in an official capacity.
2. It is the Portland Police Bureau's expectation that any member who conducts official business at the Portland International Airport (PDX) or any stateside airport comply with Transportation Security Administration (TSA) regulations and adhere to policies and practices established by personnel, airport police, and airline officials. Security regulations at airports are strictly enforced and members are not exempt from following them.

Procedure:

1. Conducting Official Business at PDX.
 - 1.1. Sworn members should notify the Port of Portland (Port) Police in advance of pending trips to the airport for official business, when feasible.
 - 1.2. On-duty sworn members, uniformed and in plainclothes assignments, who have official business at the airport, may move freely about the area outside the gate security checkpoints (GSC).
 - 1.3. Sworn members conducting official business beyond GSC shall:
 - 1.3.1. Coordinate as far in advance as practicable with Port Police. This official business may include, but is not limited to: surveillance of passengers; escorting passengers; meeting incoming passengers; conducting interviews of persons with everyday access beyond the GSC; and other police functions within the scope of their employment by the Bureau as required. Members must conform to the same

TSA requirements imposed on Port Police for pre-planned operations and business matters.

- 1.3.2. Be escorted by Port Police. Members working with Port Police on pre-planned operations will abide by PDX security requirements. If the pre-planned operation is a clandestine surveillance operation, members will work within the Port Police and TSA requirements to allow for area observation, which should be managed or coordinated through uniformed Port Police officers.
 - 1.4. Sworn members issued PDX Security Badges (Black Star) shall conduct their business in accordance with PDX security policies regarding armed law enforcement in secure areas.
2. Emergency Situations.
 - 2.1. Members engaged in immediate police action under emergency circumstances (such as hot pursuit or emergency cover of other officers to include Port Police) will coordinate all actions on airport grounds through the Port of Portland dispatch and Port Police. The physical barriers and GSC should preclude any suspect(s) and member(s) from accessing areas of the terminal beyond the GSC. All breaches of secured areas on airport property require the intervention of the Port Police. Members shall cooperate with Port Police when they arrive.
3. Traveling on Official Business.
 - 3.1. Authorized sworn members have occasion to travel on official business. Members must abide by TSA regulations for law enforcement officers traveling while armed. Prior to traveling while armed, members will contact the Training Division to complete the TSA's Law Enforcement Officer's Flying Armed training class. Permissible reasons for traveling armed are listed on the TSA.gov website.
 - 3.2. Members must have the following documentation when flying on official business while armed:
 - 3.2.1. Members will obtain a National Law Enforcement Telecommunications System (NLETS) number, via WebLEDS with command approval (Lt. or above), and submit to TSA at least 24 hours prior to travel. A copy of this NLETS number and teletype is simultaneously sent to the originating airport on the member's day of travel; however, members must have either an electronic copy or the paper print out of the teletype sent by the Federal Air Marshal Service to present to TSA to enter areas beyond the GSC.
 - 3.2.1.1. Members having an authorized change in their travel itinerary will contact PPB Records teletype desk, by phone, to obtain an NLETS number authorizing travel on the re-scheduled flight prior to checking in for that flight. Members will request that a copy of the teletype containing the NLETS number be forwarded to their email.
 - 3.2.2. Members will present their State issued driver's license and Bureau issued identification when requested by airline and TSA personnel.
 - 3.2.3. Members will complete a Notice to Armed Individuals form per airline standard affirming that they have completed the appropriate training to travel armed.

- 3.2.3.1. If the member's itinerary requires more than one Notice to Armed Individuals form, per travel day, the member will complete the additional forms prior to departure.
 - 3.2.4. Members will present their boarding pass, when requested.
 - 3.3. Members will notify their chain of command if any problems prevent them from proceeding past a GSC or traveling on their scheduled flight.
 - 3.4. Members will travel in appropriate civilian attire and shall conceal their weapon from public view.
 - 3.5. Process Through GSCs While Armed.
 - 3.5.1. Members will not attempt to access the area beyond the GSC through the normal screening lanes when traveling armed, as this can cause a shutdown of all airport gate screening and airport flight operations.
 - 3.5.2. At PDX, members will proceed to their gate via the terminal exit adjacent to the GSC and will have their badges visibly displayed for TSA personnel to see. Members will check-in with TSA by completing the required entry in the TSA log and presenting identification listed in Section 3.2.
 - 3.5.3. Members returning to PDX from other stateside airports may encounter different procedures; members should contact airport police or TSA personnel for assistance or escort beyond GSCs if they are unsure of airport protocols.
 - 3.6. Boarding.
 - 3.6.1. Members should arrive to their gate earlier than the listed boarding time and check-in with gate agents. Members will present their identification, a completed Notice to Armed Individuals form, and boarding pass and remain available for pre-board with flight personnel, if authorized by gate agents.
 - 3.6.1.1. Members should be aware that airlines are not required to allow members to board a flight if they are armed. Members encountering any administrative or procedural problems will follow all instructions given by TSA, Air Marshal(s) and airline personnel, and not assert law enforcement authority.
 - 3.6.1.2. Members should be aware that many cockpit crew members are now authorized to carry firearms and will advise the Bureau member if they are armed. Members should also be aware that other armed law enforcement officers (LEOs) may be present on the same flight and that their identity will be shared among other armed personnel by flight crew members. Members should avoid publicly initiating contact with Air Marshals.
 - 3.7. During the Flight.
 - 3.7.1. Members shall carry their weapon(s) throughout the flight; no weapons shall be placed in the overhead bins.
 - 3.7.2. Members shall not consume alcohol while traveling armed.
 - 3.8. Prisoner Transport.

- 3.8.1. Members conducting prisoner transport(s) will organize travel in accordance with their Flying While Armed training. Members will notify and coordinate, in advance, with local airport police, TSA and airline personnel throughout their movement while on airport grounds.
 - 3.8.2. Members will provide TSA and airline personnel documentation authorizing the transportation of a prisoner when requested.
 - 3.8.3. The decision to allow a member to board a flight with a prisoner resides with the crew pilots; members should be aware that they may not be allowed to board. Members encountering problems will follow instructions given by TSA, Air Marshal(s), and airline personnel, and will not assert law enforcement authority.
4. Non-Official Business.
 - 4.1. Off-duty members are subject to the same regulations as the general public in regard to firearm(s) and ammunition while at the airport.
 - 4.2. Members traveling with firearms and/or ammunition will comply with the guidelines located on the TSA.gov website.
 5. Non-Commercial/Private Aircraft Companies Located at Airports.
 - 5.1. Non-commercial companies (e.g., Flightcraft, UPS) conduct operations on airport property but away from the main terminal. Although they are governed by Federal Aviation Administration (FAA) regulations, they control their own security. Members soliciting entry to these areas or who have questions should contact the company directly.

History:

- Originating Directive Effective:
- Last Revision Effective:
- Next Review Date:

Date	Comment
4/5/17	<p>We note that none of our recommendations were added in this updated draft. We reiterate those below:</p> <p>1.1. The directive provides that sworn members “should notify Port of Portland Police of pending trips,” but doesn’t identify how soon in advance. A specific amount of time (for example: 24 hours, one week, within three business days) should be put in place so the rule is clear and easy for officers to follow.</p> <p>1.3.6. The directive states that members “shall conduct their business in accordance with Portland International Airport security policies,” but where to find those policies is unclear. We suggest a hyperlink in the online version of the directive and any PDFs distributed to members, and a web address to Port of Portland policies in paper copies distributed to members.</p> <p>3. “Official business” should be clearly defined. We suggest: “Official business is travel associated with a member’s official duties within the scope of their job description.”</p> <p>5.1. This section is unclear as it relates to members entering areas such as Flightcraft or UPS during an emergency situation. If the emergency procedures in section 2 apply, we suggest an explicit cross-reference in this section. If further meetings with stakeholders such as Flightcraft and UPS are required to finalize such a policy, we suggest noting that here and revising the directive once the relevant stakeholders have made a decision.</p> <p>We further recommend in-depth criteria for defining "official business" in a public Memorandum of Understanding with the Port of Portland. Members should not be permitted discretion to carry weapons in secured areas -- any circumstances in which that occurs must be highly specified. Leaving these circumstances opaque by referring to them as "official business" does little to give the public a sense of when there may indeed be a firearm on their flight out of PDX.</p>
4/4/17	<p>Page 2, Section 1.3.2 Last line. may be more appropriate if it read "coordinated through" rather "than coordinated by". We coordinate through Port Police on activities there, but our surveillance itself would not be coordinated BY them.</p>
2/1/17	<p>1.1. The directive provides that sworn members “should notify Port of Portland Police of pending</p>

Directive 1025.00 – Website comments 1/4/17-2/3/17 and 3/24/17-4/7/17

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1/30/17		<p>On Directive 1025.00, Firearms at Portland International Airport, we only note two items: One, that the Bureau is moving toward using the pronoun "their" rather than "his/her," which may be a good signal toward gender inclusivity, and two, that there is a special form called "notice to armed individual" for airlines. It is good to know that officers not on official duty have to follow the same procedures as other civilians. It seems it's more of an FAA issue than a Bureau issue to find a way to prevent someone who put a weapon and ammunition into checked baggage from using it for mass murder upon arrival, but perhaps the Bureau has some ideas.</p>
1/18/17		<p>Seems reasonable and prudent</p>
1/4/17		<p>This is good to know—I am a non-sworn and don’t carry a firearm, but thanks for the information</p>