



U.S. Department of Justice

Civil Rights Division

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DJ 207-61-1

Special Litigation Section - PHB  
950 Pennsylvania Ave, NW  
Washington DC 20530

March 4, 2019

Tracy Pool Reeve  
City Attorney  
Office of the City Attorney  
1221 S.W. 4<sup>th</sup> Ave., Suite #430  
Portland, OR 97204  
*via email*

RE: Approval of Revised Directive 850.20  
*United States v. City of Portland*, 3:12-cv-02265-SI

Dear Ms. Reeve:

We write to provide our approval of promulgated revised Portland Police Bureau (PPB) Directive 850.20, *Police Response to Mental Health Crisis*, pursuant to the Settlement Agreement (“Agreement”) in the case referenced above.

On July 1, 2016, the DOJ monitoring team provided provisional approval of promulgated revised Directive 850.20, *Police Response to Mental Health Crisis*. In providing our provisional approval, we stated that it was contingent on collecting and analyzing agreed upon data, and would be subject to our reassessment once there was sufficient data for analysis. *See Letter from A. Brown to E. Osoinach* (Jul. 1, 2016). The City collected data in the months and years that followed, and prepared evaluations, on which COCL and DOJ opined.

On March 1, 2018, we provided comments on revised PPB Directive 850.20, which PPB incorporated into the revised Directive that PPB promulgated on May 15, 2018. On May 30, 2018, we, again, conditionally approved Directive 850.20. As we discussed extensively during the winter and spring of 2018, COCL and DOJ had concerns that the City’s evaluation did not maximize or adequately ensure the effectiveness of Portland’s crisis response model. We recommended the City expand BOEC’s ECIT-dispatch criteria, qualitatively analyze use-of-force cases, and implement an ongoing quality assurance program to analyze data and outcomes and make adjustments and improvements as necessary.

To address our concerns and the COCL’s concerns, the City revised the ECIT-dispatch criteria BOEC uses. PPB also committed to additional ongoing data collection and analysis to assess the effectiveness of Portland’s crisis-response model in light of the revised dispatch criteria. The City also outlined a quality assurance process for PPB and BOEC, in tandem with BHUAC and various community partners, that it has since implemented.

The City prepared an evaluation report in December 2018, and in February 2019, supplemented the report with a qualitative analysis of force cases. The data indicate two areas in which we expect to continue monitoring for evidence of full implementation of Portland's crisis-response model and Directive 850.20, *Police Response to Mental Health Crisis*.

1. The data show the revised ECIT-dispatch criteria expanded BOEC's authority to dispatch ECIT officers to calls involving a mental health crisis. Quality assurance efforts have also been effective at identifying areas of improvement and topics for training and guidance for BOEC dispatchers. BOEC should continue to refine and enhance its training to increase ECIT dispatches and better capitalize on ECIT officers' specialized training and experience. We look forward to further discussion and evaluation of BOEC's training on the ECIT-dispatch protocol.
2. We expect to see training for all officers on the revised Directive 850.20, *Police Response to Mental Health Crisis*. We expect this training will include direction on when non-ECIT officer should seek deployment of ECIT officers and the value of connecting those experiencing a mental health crisis to services, including a hospital when appropriate.

In light of the above, we are prepared to give final approval for PPB Directive 850.20, *Police Response to Mental Health Crisis*. While Portland's triage approach to ECIT-dispatch is a variation of the Memphis Model, referenced in Paragraph 99 of the Amended Settlement Agreement, it reflects local community ownership and we believe it represents a good faith, successful effort in response to the concerns that brought on this litigation. We ask the City to continue collecting and analyzing relevant data to assess the effectiveness of the City's crisis response model, and to continue to update us on the quality assurance efforts and outcomes, during the pendency of the Agreement.

If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

BILLY J. WILLIAMS  
United States Attorney

LAURA L. COWALL  
R. JONAS GEISSLER

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cc: Mark Amberg, Chief Deputy City Attorney  
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