Directive 630.26, Public Safety Support Specialist Program

Executive Summary

Introduction
In June 2018, the Portland City Council created the Public Safety Support Specialist (PS3) job classification to establish a group of civilian staff with specialized training to provide supplemental assistance to the Portland Police Bureau’s sworn members. The Bureau’s newly-created Directive 630.26, Public Safety Support Specialist Program, further clarifies the scope of the PS3s’ duties, as defined by the City; addresses the nature of the general training PS3s will receive; and outlines the roles and responsibilities of the individuals providing individual and program oversight.

Public Comments
The Bureau received few comments during the two 30-day universal review and public comment periods. The prevailing concerns about the program and the policy pertained to the limited law enforcement authority afforded to PS3s, the nature of their responsibilities, and the content of their training.

Public Safety Support Specialists’ Duties
Some commenters voiced concern about the inability of PS3s to respond to certain calls for service. City Council Ordinance 189033 establishes the PS3 job classification, and a memorandum of agreement between the City and the Portland Police Association further defines the PS3s’ duties and prohibited activities of the program. PS3s do not have law enforcement authority as defined under state law. The Bureau developed its policy through the lens of these guiding documents to ensure consistency and compliance.

Training
A responder noted that the policy broadly speaks to the content of the PS3s’ initial training. As a program standard, the Bureau shall offer a six week academy to all PS3s, at least consisting of legal updates, basic tactical training, report-writing, and Mental Health First Aid for Law Enforcement.

In practice, the Bureau addresses training in policy in general terms because the Training Division continuously tailors training curriculum based on several factors, such as shifts in best practice standards and changes in technology. If training is specifically identified in policy, it prevents the Bureau from being nimble in its response to improved or adjusted industry practices.

We thank every individual who took the time to provide feedback on this directive. All comments received during both review periods are attached at the end of this document. We have removed all personal information to protect the privacy of commenters.

This directive will become effective on September 5, 2019.

Published on 8/6/19
630.26, Public Safety Support Specialist Program

Refer:
- ORS 181A.355 Definitions for ORS 181A.355 to 181A.670
- DIR 630.10, Driving Responses
- DIR 900.00, General Reporting Guidelines
- DIR 1010.00, Use of Force
- DIR 1500.00, Training
- Training Division Standard Operating Procedure 3-8, Public Safety Support Specialist Program

Definitions.
- Active Aggression: A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is about to happen, unless intervention occurs.

- Public Safety Support Specialists: Non-sworn members who are authorized to assist sworn members in the performance of certain duties that do not require law enforcement authority. Public Safety Support Specialists do not meet the statutory definition of “police officers” and are not Department of Public Safety Standards and Training (DPSST)-certified; therefore, they are not law enforcement officials (i.e., sworn members).

- Public Safety Support Specialist Coach: A sworn member or a non-probationary Public Safety Support Specialist who is assigned to a probationary Public Safety Support Specialist and responsible for both monitoring and documenting their performance, and providing resources to assist in their training and development.

Policy.
1. Portland Police Bureau’s (PPB) Public Safety Support Specialists (PS3s) provide support to the Bureau’s sworn members in non-emergency, non-priority situations; engage in community outreach with the public; offer a visible, community-based police support function to enhance PPB’s service to the public. PS3s shall not replace other job classifications, although they may support such work if needed.

Procedure.
   1.1. PS3s shall receive initial training as determined by the Training Division. At a minimum, this training shall consist of the following:
      1.1.1. An introductory academy or comparable specialized training;
      1.1.2. Instruction with a mental health focus; and
      1.1.3. A field training program with a PS3 Coach.

   1.2. PS3s shall complete a one year probationary period from the date of hire.

   1.3. PS3s shall have an assigned PS3 coach during their probationary period.
1.4. PS3s shall receive ongoing training as determined by the Training Division.

2. Public Safety Support Specialists Duties and Responsibilities.
2.1. PS3s shall act in accordance with all applicable Bureau Directives, Standard Operating Procedures (SOPs), and City of Portland Human Resources Administrative Rules (HRARs). They shall follow the lawful orders, commands, and instructions of sworn members.
2.1.1. PS3s may utilize the Law Enforcement Data System (LEDS) and National Crime Information Center (NCIC) after completing appropriate training.
2.1.2. Depending on the assignment, under the supervision of a sworn police supervisor, PS3s may perform a combination of some or all of the following duties, and perform related duties as assigned.
2.1.2.1. Write police reports for non-emergency situations that do not require police officer authority, and do not involve potential evidence, suspects, or a crime scene.
2.1.2.2. Respond to non-injury traffic collisions to facilitate information exchange between involved parties; coordinate tow services for disabled vehicles.
2.1.2.3. Conduct follow-up on property crimes where there is no suspect information, either by phone or in person, with an emphasis on crime victims’ rights and referrals to other City Bureaus.
2.1.2.4. Process evidence or property, including writing reports and properly securing property.
2.1.2.5. Attend neighborhood meetings, community and/or public events. (This does not replace attendance at such events by sworn officers.)
2.1.2.6. Assist police officers in searching for missing persons such as elderly adults, medically fragile adults, or children when there is no reason to believe they are a threat to themselves or the community.
2.1.2.7. Assist with inventory and maintenance of PPB-issued equipment, excluding weapons and ammunition.
2.1.2.8. Assist drivers in stalled vehicles and summon other necessary assistance; respond to pedestrians, bicyclists, and other community members in need of assistance.
2.1.2.9. Broadcast and receive messages via police radio and Mobile Data Terminal (MDT); maintain contact with field units; ask for assistance when appropriate due to incident type and scope.
2.1.2.10. Assist with temporary street closures, detours and other public service duties identified by police supervisors.
2.1.2.11. Summon a police officer for situations they encounter in which enforcement action is necessary.

2.2. PS3s shall be assigned to a precinct and work on an existing standard shift that mirror patrol schedules patrol precincts. They shall report to the shift sergeant(s) while on duty.

2.3. Upon completion of the required probationary period and with the approval of their assigned shift sergeant, PS3s may have community members accompany them on a shift to observe their activities.
2.4. Reporting.
   2.4.1. PS3s taking any authorized action while on duty shall write and submit an appropriate report to cover the incident, in accordance with Directive 900.00, General Reporting Guidelines.
   2.4.2. If a PS3 uses force while on duty, they shall immediately notify a supervisor and complete all force reporting requirements, in accordance with Directive 1010.00, Use of Force.

3. Prohibited Activity.
   3.1. Unless otherwise instructed by a supervisor, PS3s are not authorized to participate in or perform the following duties:
      3.1.1. Calls for service involving contact or potential contact with a criminal suspect(s);
      3.1.2. Any incident where it is likely there will be contact with a person in crisis (e.g., mental health, intoxication, drug-affected, etc.);
      3.1.3. Custodial transports (i.e., suspects, detox, Peace Officer Hold [POH]);
      3.1.4. Foot or vehicle pursuits;
      3.1.5. Emergency driving or any driving in violation of Oregon State traffic laws;
      3.1.6. Respond as cover for sworn members; or
      3.1.7. Any call where a sergeant determines it is outside the scope of employment or duties of a PS3.
   3.2. PS3s shall not work undercover assignments.
   3.3. PS3s shall not use physical force, unless placed in a position where the force is in response to active aggression, and they must defend themselves or others in accordance with the standards set forth in Directive 1010.00, Use of Force, and Directive 315.30, Satisfactory Performance.
      3.3.1. If a PS3 is involved in a force incident, this force will be subject to Directive 1010.00, Use of Force, and must include a complete After Action review by the precinct supervisor.

4. Uniforms and Equipment.
   4.1. PS3s shall wear uniforms with patches and/or logos that are distinct from Bureau sworn member uniforms and identify them as Police Bureau members.
   4.2. PS3s may attend trainings and certain events out of uniform, as appropriate (e.g., trainings with business casual dress requirements, other special events with permission from a sergeant).
   4.3. PS3s shall not wear or be issued PPB badges.
   4.4. PS3s shall carry defensive equipment (i.e., aerosol restraint) as determined by the Training Division.
      4.4.1. PS3s shall not be issued any of the following devices:
         4.4.1.1. Firearm;
4.4.1.2. Conducted electrical weapon (CEW); or
4.4.1.3. Any less lethal devices that operate on principles consistent with a firearm
(e.g., less-lethal 40mm devices).

4.4.2. PS3s are prohibited from carrying any firearms or less-lethal devices described
above in the performance of the normal course of their duties.

4.5. The Bureau shall assign specialized vehicles designed for PS3s’ job functions. PS3s are
only authorized to operate marked PPB vehicles to accomplish a specific task (e.g.,
move a vehicle between precincts, reposition vehicles at a crime scene).

5.1. All PS3 coaches shall have a demonstrable record of professional conduct and suitable
work performance.
5.1.1. Members who have been subject to disciplinary action based upon the use of
force or mistreatment of individuals with mental illness within the three preceding
years, or twice in the preceding five years, shall be prohibited from serving as PS3
coaches.

5.2. PS3 coaches shall monitor and evaluate the performance of their assigned PS3s during
the designated probationary period.

6.1. The precinct shift sergeant shall supervise the day to day activities of any assigned PS3s.
6.1.1. If the PS3 uses force (e.g., aerosol restraint deployment), the supervisor shall act
in accordance with Directive 1010.00, Use of Force, when reviewing the incident.

7. Training Division.
7.1. The Training Division shall administer the PS3 Program and maintain a program SOP.

7.2. The Training Division Captain or a designee shall determine all PS3 Program-related
training.

History:
- Originating Directive Date: 08/06/19
- Last Revision Signed: 08/06/19
  - Effective Date: 09/05/19
- Next Review Date: 09/05/20
Q1 Please provide feedback for this directive

Perhaps the training provided to Public Safety Support Specialists will include racial and sexual minority sensitivity training, training about implicit bias and being aware of these biases when dealing with members of oppressed communities, and training about trauma-based communication strategies. I know all of these topics are covered for sworn officers. It needs to be explicitly stated that non-sworn PS3s will receive the same training in these areas before being allowed to carry defensive weapons or interact with the public as a representative of PPB.

I can see this is a potential solution to the problem of sworn officer shortages in the city, and I applaud PPB for seeking creative ways to ensure public safety and positive interaction with the community. However, as a member of the sexual minority community, this makes me fearful that PS3s will not receive the necessary training to behave in a way that promotes trust between my community and PPB.

Making these trainings explicit in the policy directive, and making it clear that PS3s will be held to the same accountability if they are found to be discriminating against or providing unequal service to members of oppressed communities, shows that equal treatment is a priority to the Portland Police Bureau.

Thank-you for reading my feedback, and offering space for community members to participate in the process.

Q2 Contact Information (optional)

Name
Email Address
Phone Number
Q1 Please provide feedback for this directive

Please provide a section that clearly outlines the types of calls they respond to.

Q2 Contact Information (optional)  
Respondent skipped this question
To Chief Outlaw, Capt. Parman, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Community Oversight Advisory Board staff, US Dept. of Justice, Independent Police Review, Citizen Review Committee and the Portland Police Bureau:

Below are Portland Copwatch's comments on the Public Safety Support Specialist (PSSS)* Directive (630.26) posted for review in June. While some of the limitations in this policy are a result of how the program was adopted at a City Council level, our comments are meant to address both that broader policy and the Bureau's proposed Directive.

We also note that this being a new Directive, we appreciate having 30 days to review it on the front end but continue to think that timeline should apply for all reviews. The Portland Committee on Community Engaged Policing (PCCEP) has still never weighed in on a single Directive, and one reason could be that they only meet once a month and can't meet the deadlines. We also think that since this is a new Directive, the Bureau could begin implementing our suggestion to add letters to section headings (Refer, Definitions, Policy, Procedure) so that there are not multiple sections with the same numbers, and to enumerate the Referrals and Definitions. Our comments below refer to the Procedure Section unless otherwise noted.

Broadly speaking, Portland Copwatch (PCW) continues to struggle with the concept of what were promised to the community as unarmed police officers, but are being deployed as glorified desk clerks with pepper spray.

The ongoing issues of the over-use of firearms in situations that may not require them (such pointing guns at drivers at traffic stops), the increase in use of deadly force, and the fact that armed officers are just plain intimidating to people who may have called for and/or are merely in need of help should all be pushing the PPB to look more like London bobbies below the rank of Sergeant... who don't carry firearms.

The issue of separating these new employees from other cops is prominent in the definition for PSSS's: it explicitly states they do not have Department of Public Safety Standards and Training certification and thus, are not law enforcement officials, "police officers" or even sworn PPB members. PSSS's are not issued badges (Section 4.2). This is going to cause confusion. It also begs the question of why the Portland Police Association (PPA) was allowed to absorb the Specialists into their (politically problematic) collective bargaining unit if they are not sworn personnel.

The narrowness of their job is further underscored in the Policy section, which limits them to "non-emergency, non-priority situations" (which could be more flexible), engaging in community outreach (that's ok), and "offer a visible, community-based police support function to enhance PPB's service to the public." It's not clear what that last part means, but it almost sounds as if there is more public relations than problem solving involved in the PSSS job. Likely at the behest of the PPA, the Policy also says PPPS's are "not intended to replace other job classifications," only to "supplement such work," but generally are limited to "observe and report."
 Directive 630.26 Feedback

In terms of training, there are vague guidelines which say they have to go through Basic Police Academy "or comparable specialized training" (Section 1.1.1), and field training from a PSSS coach (1.1.3)—who can be a sworn member (not necessarily a Field Training Officer) or another PSS Specialist. The coaches have the same limitation—they can't have received discipline for use of force or mistreatment of people with mental illness—as officers who want to be on the Enhanced Crisis Intervention Team or the Training Division (5.1.1). They also receive training with "a mental health focus" (1.1.2)—which doesn't clarify if this means Crisis Intervention Training as required by the DOJ Agreement. This became a large issue for the Reserve Officers who all quit in recent months to join other law enforcement agencies due to not meeting DOJ standards. It's understandable to want to get people out on the streets quickly, but they should have as many skills as possible to engage with people in the community.

Interestingly, PSSS's will, with the proper training, have access to the criminal database systems, which seems odd if they are not law enforcement agents (Section 2.1.1). They also can have "ride-alongs" (or walk-alongs?) once they are done with their one year probationary period (2.3), are required to write reports about taking "authorized action" (2.4.1) and when they use force (2.4.2).

A PSSS is allowed to use force if "unavoidably placed in a position where the force is in response to active aggression, and they must defend themselves or others" (3.2.1). This Section should refer to the part of Directive 1010.00 that prohibits putting oneself into a position that precipitates the use of force (1010.00 Section 5.3.2).

They are not allowed to: respond to a call involving contact with criminal suspects (3.1.1) or people in crisis (3.1.2). They cannot transport people to jail, detox or a mental health facility (3.1.3), engage in pursuits (3.1.4), or violate any traffic laws (3.1.5). This last point raises an issue PCW has railed about for years: "No Special Rights for the Police." We frequently see officers going through red lights when not on an emergency call, making unlawful turns, driving while engaged in conversation on their radio or even looking at their onboard computers, all of which are activities they not only caution the public against, but can penalize them for doing. Perhaps more limitations should be put on how sworn officers are allowed to operate regular police cars. Public Safety Support Specialists are generally only allowed to operate special PSSS vehicles, while limited to driving "real" police cars when moving them from one place to another (4.4).

Other prohibitions are on responding as cover for sworn members (3.1.6), working undercover (4.1.1), and anything else a sergeant says they can't do (3.1.7). We hope there are people who are interested in doing this job given all these limitations, as over time more PSSS's should be hired, given more responsibility, and start making it unnecessary to worry about the unfilled positions for gun-toting sworn officers. The upside of the limitations is that PSSS's are not allowed to carry guns (4.3.11), Tasers (4.3.1.2), or less lethal weapons that work like firearms (4.3.1.3).

CONCLUSION

In summary, there are some parts of this Directive that should be clarified just to bring the PSSS's up to what the Bureau has designed for the position, but overall PCW would like to see these Specialists be fully trained and have the ability to act as law enforcement with a de-emphasis on using force to achieve their lawful goals.

As noted many times, PCW appreciates the opportunity to offer input on policies. A few more finalized policies were recently published which once again minimized concerns we raised in previous comments. On the other hand, the Bureau was kind to let us know that it's not necessary to provide feedback via the Directives website, and that comments emailed to PPBDirectives@PortlandOregon.gov are also accepted.

Thank you for your time

--Portland Copwatch

*- The Bureau's chosen acronym PS3 is the same as a Sony Playstation 3 and trivializes the work as a game.
Q2 Contact Information (optional)

Name

Email Address
#4

Q1 Please provide feedback for this directive

4.1.1 is better placed under # 3 Prohibited Activity
6.1 wording should be "The precinct shift sergeant shall supervise the day to day activities of any assigned PS3s.

Q2 Contact Information (optional)

Name
Email Address
Phone Number
#1

Q1 Please provide feedback for this directive

1.2 – Suggest revising to read as follows to align with the wording in the PPA CBA/PS3 MOU: "PS3s shall complete a twelve (12) month probation period from their date of hire."

4. Uniforms and Equipment. -- Suggest adding the following to align with the wording in the PPA CBA/PS3 MOU: "PS3s shall not be issued protective vests."

Q2 Contact Information (optional)

Name
Email Address
Phone Number
Q1 Please provide feedback for this directive

It sounds like people will be hired and continually trained for functions they are not authorized to perform.

Q2 Contact Information (optional)  
Respondent skipped this question
Q1 Please provide feedback for this directive

Sounds like these PS3's will be useless to the public.

Q2 Contact Information (optional)  

Respondent skipped this question
# Q1 Please provide feedback for this directive

**COMMENTS ON PUBLIC SAFETY SPECIALISTS AND "ACTIVE VIOLENCE" DIRECTIVES, JULY 2019**

To Chief Outlaw, Capt. Parman, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Portland Committee for Community Engaged Policing, US Dept. of Justice, Independent Police Review, Citizen Review Committee and the Portland Police Bureau:

Below are comments from Portland Copwatch (PCW) on the two Directives posted in early July for comment (https://www.portlandoregon.gov/police/73677). They were previously posted in June (630.26 Public Safety Support Specialists) and in May (730.00 Response to "Active Violence Incidents").

While these are "second reviews" for which the public has 30 days to comment, we continue to ask that all reviews be given at least 30 days to allow organizations including advisory groups time to make meaningful comments.

In addition, we continue to believe that all sections-- including the "Refer" and "Definitions" sections-- be given letters and numbers for easy reference, to avoid having confusion when referring to "Section 1," for example. The references below are to Procedure Sections unless otherwise noted.

**DIRECTIVE 630.26 PUBLIC SAFETY SUPPORT SPECIALISTS, JULY 2019**

Very few changes are being proposed to this policy, and none of them came from Portland Copwatch's earlier comments. While we continue to understand that the program was outlined in City policy by a Council vote, there is still room to improve what was promised as unarmed police officers to make them more community-oriented cops instead of glorified desk clerks. We previously outlined the kinds of issues raised by having armed police officers respond to every call, and pointed out that most London bobbies do not carry firearms. One great start to taking this new Bureau position seriously would be to take our advice about not using the acronym "PS3," which makes these new Specialists sound like a video game console.

We did note that the requirement for Public Safety Support Specialists (PSSSs) had a vague training requirement for officers to go through Basic Police Academy "or comparable specialized training" (Section 1.1.1). The new draft replaces "Basic Police Academy" with "An introductory academy," which arguably makes the requirement less specific.

The prohibition on PSSSs working undercover is being moved from Section 4.1.1 under "Uniforms and Equipment" to Section 3.2 under "Prohibited Activity." The uniforms Section now clarifies that the patches/logos for PSSSs will be "distinct from Bureau sworn member uniforms" (4.1). A typo is being fixed in Section 6.1 saying sergeants should "supervise" rather than "supervisor" PSSSs.

The final change is that the Policy section removes the statement that PSSSs are intended to "work in an 'observe and report' capacity," a phrase we referred to in our previous comment as limiting. PCW suggested broadening the PSSSs' charge in the Policy section, which says they can only respond in "non-emergency, non-priority situations." We encouraged the PPB to have PSSSs work more on problem solving and not just be tools for public relations.
problem solving and not just be tools for public relations.

Other issues not addressed: PSSSs are not certified by the Department of Public Safety Standards and Training, so they are not law enforcement officials (Definitions). This means they have less training than some security guards. Even though they are not officially "law enforcement" they were allowed to join the Portland Police Association, as were workers from Portland’s Bureau of Emergency Communications (BOEC). The PPA has made a regular habit of pushing to use more harsh tactics (asking to "take the handcuffs" off of them) and denigrating Portland because of the many houseless people living on the streets (calling the city a "cesspool"). Adding more people into the ranks of such an organization is problematic as the Bureau struggles to gain community trust.

The new draft doesn't clarify an issue we raised-- whether the training with "a mental health focus" (Section 1.1.2) means Crisis Intervention Training as required by the DOJ Agreement or something else. We noted that Portland’s Reserve Officers all had to leave because they were not properly trained in this area; the PSSSs are part of the Bureau and, we believe, should have such training since they are authorized to use force, even if minimally (Sections 2.4.2 and 3.2.1). We noted that the PSSS policy should refer to Directive 1010.00 Use of Force regarding not putting oneself into a position that precipitates the use of force (1010.00 Section 5.3.2). However, we do applaud that the Directive prohibits PSSSs from carrying guns (4.3.11), Tasers (4.3.1.2), or less lethal weapons that work like firearms (4.3.1.3).

We raised a question about why non-law enforcement would have access to criminal database systems even if they get special training (Section 2.1.1), which was not addressed.

As we wrote in June, "We hope there are people who are interested in doing this job given all these limitations, as over time more PSSS's should be hired, given more responsibility, and start making it unnecessary to worry about the unfilled positions for gun-toting sworn officers."

CONCLUSION

While we are thankful that the Bureau asks for public input, we do not feel as if the decision-makers are taking actions to adopt the valid concerns we are raising, with changes which would build trust and minimize the Bureau's perceived position as an occupying force. We continue to suggest there should be open forums three or four times a year where the Directives team can talk with the public directly so that the reasons given in published policies for not adopting such comments can be the subject of a dialogue, rather than a one-way final word from the Bureau.

--Portland Copwatch

Q2 Contact Information (optional)

Name

Email Address