



CITY OF PORTLAND, OREGON



Bureau of Police

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Directive 720.00, Special Emergency Reaction Team (SERT) and Crisis Negotiation Team (CNT) Use Executive Summary

Introduction

The Portland Police Bureau initiated its review of Directive 720.00, Special Emergency Reaction Team (SERT) and Crisis Negotiation Team (CNT) Use, in December 2019. Over the course of the review, the Bureau revised the directive to both clarify operational practices, and incorporate recommendations from internal and external stakeholders.

Public Comments

The Bureau received several comments over the course of both universal review and public comment periods for the directive. The prevailing theme across many of the comments was the need for greater clarity throughout the directive. The Bureau received requests to clarify definitions, as well as its guidance for activation protocols and the chain of command. Moreover, the Bureau received an inquiry about the role of the Rapid Response Team (RRT) in this context.

Definitions

A few commenters highlighted the need for clearer language in a couple of definitions and noted a discrepancy in the “Critical Incident Commander” (CIC) definition between the first and second universal review drafts.

The Bureau addressed these comments by incorporating commenters’ recommended language in the definition of “Unit Assistance,” and correcting the Bureau branch assignment in the CIC definition. Furthermore, the Bureau added a definition for “RRT” to offer foundational information about the group, in an attempt to provide greater context with regard to their role.

The Role of the Rapid Response Team

One commenter asked how the directive relates to RRT and how the group interacts with SERT. Similar to its role Directive, 635.10, Crowd Management/Crowd Control, RRT serves as a source of assistance for SERT during certain tactical incidents. As the newly added definition indicates, members of the group receive specialized training that allows for a response, in a support capacity, to a variety of hazards, incidents, and other emergencies. Given the possible scale and dynamic nature of some of the incidents for which the Bureau activates SERT, RRT plays an integral role in ensuring the Bureau has sufficient resources, supplemental to SERT, when responding to such events.

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.

The Bureau's Revised Policy

The Bureau kept the directive largely intact, but made necessary revisions to account for a shift in the Bureau's operational practice with regard to overseeing SERT, as well as to include the aforementioned recommendations offered by external stakeholders. Previously, the directive named the Assistant Chief (AC) of Operations as the CIC's direct report for tactical operations. Although the Bureau's initial response to tactical situations still derives from the Operations Branch, the revised policy allows any Branch AC, as designated by the Chief of Police, to serve in this capacity. The change allows the Bureau to be more nimble in its response to these situations. The Bureau also made a couple of minor changes to bring the policy in alignment with other recently revised directives (e.g., Directive 730.00, Bureau Response to Active Violence Incidents).

The Bureau believes that the revised directive provides more clarity and enhanced guidance to its members; however, any suggestions to further improve this policy are welcome during its next review.

This directive will go into effect on July 1, 2020.

Published on 6/1/2020

720.00, Special Emergency Reaction Team (SERT) and Crisis Negotiation Team (CNT) Use

Refer:

- DIR 631.35, Press/Media Relations
- DIR 730.00, Bureau Response to Active Violence Incidents
- DIR 1010.00, Use of Force
- Investigations Branch Standard Operating Procedure #1, Planned Arrest and Search Warrant Execution

Definitions:

- **Activation Tiers:** There are three progressive tiers of activation: 1) Unit Assistance, 2) Limited Deployment, and 3) Activation.
- **Unit Assistance:** Special Emergency Reaction Team (SERT) and Crisis Negotiation Team (CNT) members used to assist during incidents short of full activation. Such assistance is limited to members utilizing the less-lethal tools and equipment that are available to SERT and CNT, and are not available for patrol operations (e.g., pole cameras, robots, armored vehicles, etc.), and where SERT and CNT does not provide supervisory oversight of the incident. On-duty assistance is not a substitute for a limited deployment or full activation. A Critical Incident Commander (CIC) is not required to respond for this level of activation.
- **Limited Deployment:** A tactical response authorized by a CIC that includes SERT only, CNT only, or a partial response by either or both units utilizing tools or tactics available to the CIC.
- **Activation:** Receiving an order to report for duty. SERT and CNT members will report to the requested location, prepare for deployment, and respond to mission requests at the direction of the On-Scene Incident Commander or CIC.
- **Appropriate Initiative:** The authority delegated to SERT and CNT by the CIC, unless specifically suspended during a call, to safely resolve an incident before they are able to request and receive permission from the CIC (i.e., “window of opportunity”).
- **Command Post:** Any location, fixed or mobile, designated by the On-Scene Incident Commander or CIC from where operations are directed.
- **Critical Incident Commander (CIC):** A specially trained on-call command person who responds to all SERT and CNT activations (other than unit assistance), high-risk warrants, and any other event designated by the Chief of Police or designee. The CIC has the authority and responsibility for all police actions related to the incident and reports to the designated Assistant Chief during emergency activations.
- **On-Scene Incident Commander:** The highest-ranking sworn Police Bureau member who assumes command at the scene of an incident prior to the CIC assuming command.
- **Police Action:** Any circumstance, on or off duty, in which a sworn member exercises or attempts to exercise police authority.

- Rapid Response Team (RRT): The Bureau's all-hazard team of members who are specially trained to assist in the response to manmade/natural disasters and other emergency management situations which include, but are not limited to, the management and control of crowds through various tactics and techniques.
- Special Weapons: Any weapons provided or approved by the Bureau and authorized to be used only by trained SERT and (RRT members in a police action. Examples of special weapons include non-aerosol contained chemical agents (including CS gas), automatic weapons, rifles and other special tactical weapons and ammunition.

Policy:

1. This Directive sets forth the protocols for accessing SERT and CNT resources, prescribes when the use of the units is mandatory, establishes a clear chain of command during activations, and defines responsibilities.
2. In accordance with the Police Bureau's mission, members will make every effort to ensure the safety of everyone involved in an incident while attempting to de-escalate and resolve special emergency situations. The Bureau recognizes that some incidents may require the support of specially trained incident commanders and tactical and negotiating teams to increase the ability to safely resolve these situations.
3. There is nothing in this directive that would prohibit a member of SERT from taking police action outside of team activations. In these instances, SERT members shall follow directives and training guidelines set forth by the Bureau.

Procedure:

1. SERT and CNT Activations:
 - 1.1. SERT and CNT Assistance: SERT and CNT serve to provide tactical support to the Police Bureau. After reasonable efforts have been undertaken to resolve an incident, Bureau members may request SERT and CNT assistance to de-escalate an escalating situation, devise and implement re-engagement plans, or to decisively resolve an incident.
 - 1.2. Mandatory Activation Situations:
 - 1.2.1. In all situations described below, SERT and CNT activation procedures shall be implemented after the On-Scene Incident Commander has gathered sufficient information to believe with a reasonable degree of certainty that one of the listed situation exists.
 - 1.2.1.1. Active Violence Incident: An incident involving an armed person(s) who has the ability and intent to use or has used deadly force on other persons and continues to do so while having unrestricted access to additional victims. These incidents include circumstances under which the threat of deadly force may include but are not limited to a suspect's use of knives, firearms, vehicles, and/or explosive devices.
 - 1.2.1.2. High-Risk Search/Arrest warrant: Where there is a potential threat sufficient to require SERT and CNT to execute the warrant. Requests for SERT to

execute warrants will be forwarded through channels along with a completed SERT Service Request – Planned Operations Risk Assessment Form. All SERT warrant plans require prior CIC approval and command during service. At the conclusion of the warrant service, SERT will attach and forward the original assessment form along with their After Action Report to the Chief of Police’s Office.

- 1.2.1.3. Hostage Situation: An incident involving a person being held by a suspect who is reasonably believed to be armed, as a means of forcing compliance with some demand.
- 1.2.1.4. Sniper Situation: A person, usually concealed, shooting or threatening to shoot at other people.

1.3. Discretionary Activation Situations:

1.3.1. In all situations described below, activation procedures may be implemented for SERT and CNT, if Bureau members have undertaken reasonable efforts to resolve an incident and members are uncertain regarding the advisability of disengagement from the incident. Bureau members may consult with SERT, CNT and CIC to determine a course of action. If the CIC deems activation is appropriate, they will initiate the proper activation tier.

- 1.3.1.1. Barricaded Person: SERT and CNT response is required in cases where patrol or other units have exhausted reasonable efforts to resolve a barricade incident where a person uses an obstruction (e.g., building, car, etc.) with the threat of deadly force to accomplish a criminal goal such as avoiding capture, and a determination is made that the totality of circumstances do not support disengagement from the incident.
- 1.3.1.2. Area Search for an Individual Armed with a Gun: SERT and CNT activation is required to support or assist patrol during incidents where a search is necessary for an armed individual(s) who has fled or is hiding from members in a respective area. Involved supervisors must evaluate whether effective containment of the suspect has likely been achieved within a suitable geographic area in order to conduct an area search. In cases where supervisors conclude that effective containment of the suspect is achieved, supervisors shall activate SERT and CNT to conduct the area search.
- 1.3.1.3. Any other requests or circumstances approved by the CIC.

1.4. An On-Scene Incident Commander may contact and consult with the on-call CIC at any point during the incident.

2. Responsibilities:

2.1. Operations Branch: The Operations Branch has full responsibility for the Bureau’s initial response to a field tactical situation. However, when SERT and/or CNT are called to a tactical operation, they shall be under the direct command of an Assistant Chief, as directed by the Chief of Police, for the duration of the incident.

- 2.1.1. The CIC shall inform the designated Assistant Chief of all full deployments and the service of high-risk warrants as soon as it is practical to do so. The Assistant

Chief will respond to the scene and assume command of full deployments and high-risk warrant service in the event that no CICs are available.

- 2.2. On-Scene Incident Commander: The On-Scene Incident Commander has the authority and responsibility for all police actions during the incident unless, or until, relieved by the CIC.
- 2.3. Critical Incident Commander: The CIC responds to all emergency SERT and CNT activations, warrants, and limited deployments. The CIC has the authority and responsibility for all police actions during an incident once they assume command from the On-Scene Incident Commander.
- 2.4. Precinct Commander: The Precinct Commander, or their designee, will respond to all activations, with the exception of high-risk warrant service. The Precinct Commander (or designee) will direct patrol resources in support of the event at the direction of the CIC. The Precinct Commander (or designee) will also manage precinct operations unrelated to the event.
 - 2.4.1. If the Precinct Commander is the on-call CIC for the incident, the Precinct Commander shall designate a member to supervise the precinct response.
- 2.5. In the event that all CICs are unavailable, the designated Assistant Chief be responsible for responding to and managing all emergency SERT/CNT activations, warrants, and limited deployments. In the event the Assistant Chief is unavailable, the Precinct Commander of the event location shall be responsible. If they are not available, the Precinct Commander closest geographically to the incident shall be responsible.
- 2.6. If it is determined that SERT and CNT are needed, that information shall be relayed to a supervisor (i.e., a member at the rank of sergeant or above) who can initiate an activation and immediately report to the scene, if not already present.
- 2.7. SERT, CNT, and CIC activation procedures shall be implemented by the Bureau of Emergency Communications (BOEC) upon the order of a supervisor. The precinct of occurrence will be responsible for making all command notifications.
- 2.8. The tactical functions, which shall be accomplished by the CIC, include:
 - 2.8.1. Assessment of the situation.
 - 2.8.1.1. Assume command and communicate.
 - 2.8.1.2. Ensure adequate and appropriate resources are on-scene or en-route.
 - 2.8.1.3. Prioritize the objectives (e.g., life/safety, containment needs, end state, etc.).
 - 2.8.1.4. Legal standing.
 - 2.8.2. Development of the plan.
 - 2.8.2.1. The plan and subsequent supporting missions are based on the above assessment. Continually re-evaluate as the call progresses.
 - 2.8.2.2. Create a command post that includes SERT, CNT, and Patrol command.
 - 2.8.2.3. Consult with SERT, CNT, and Patrol when time allows.

- 2.8.2.4. Communication: Ensure that SERT, CNT, and Patrol all have the same situational awareness.
- 2.8.3. Execution of the mission.
 - 2.8.3.1. Communicate clear and specific missions to each resource.
 - 2.8.3.2. Clearly communicate the CIC's intent throughout the incident.
 - 2.8.3.3. Communicate the results of each mission to maintain the same situational awareness by SERT, CNT, and Patrol.
- 2.8.4. Support.
 - 2.8.4.1. Displaced community members.
 - 2.8.4.2. Relief of members.
 - 2.8.4.3. Medical.
 - 2.8.4.4. Fire.
 - 2.8.4.5. Designation of an off-site briefing post for City representatives.
 - 2.8.4.6. Public Information Officer (PIO): Coordinate media message and/or community notification.
 - 2.8.4.7. Post-incident coordination.
- 2.9. Once the activation procedure has been initiated, SERT and CNT shall be on standby status until the On-Scene Incident Commander or the CIC directs them to perform in either their separate functions or as part of the operation.
- 2.10. SERT and CNT may be canceled only by the On-Scene Incident Commander or the CIC.
- 2.11. The CIC (regardless of rank) has the authority and responsibility to direct all Bureau resources towards the situationally appropriate resolution of an incident and reports only to the designated Assistant Chief during activations. When time and circumstances permit, the CIC will consult with SERT about tactics, with CNT about negotiations, and with Patrol Command about resources. The CIC shall determine the objectives and approve the missions to meet those objectives of the operation, while the team leaders of each unit shall develop the specific tactics or strategies to effectively execute the missions. However, the CIC is ultimately responsible for the approval of tactics, negotiations and the allocation of resources. The CIC will direct SERT, CNT and Patrol resources. The CIC may, at any time, direct or stand down, tactical, negotiation, or patrol responses. SERT and CNT shall not take action independent from the CIC direction, except when a member reasonably believes that an immediate threat of death or serious physical injury exists or as part of being delegated Appropriate Initiative.
- 2.12. Appropriate Initiative must meet the standard of having a high likelihood of success. This clearance to act should be used in limited circumstances. SERT and CNT must understand the CIC's intent. Members taking action under appropriate initiative must immediately communicate whether the action was successful. Appropriate Initiative is not a substitute for requesting permission for action when time allows. SERT and CNT supervisors and members assume responsibility for actions taken in the exercise of Appropriate Initiative.

3. Bureau Supervisors and Non-Police Bureau Personnel:
 - 3.1. Bureau supervisors and City representatives not involved in the operation shall be directed to a location other than the command post, as designated by the CIC. The CIC will appoint one member as liaison to keep these observers apprised of any changes in conditions.
4. Outside Agency Coverage:
 - 4.1. Generally, outside agency tactical and negotiation teams are authorized to provide coverage when SERT and CNT are unavailable. In these situations, the on-call PPB CIC will respond and command the incident.
 - 4.1.1. In these circumstances, members should be aware that the conduct of the outside agency's officers is subject to their respective policies and procedures.
5. Outside Agency Requests:
 - 5.1. Outside agency requests for full team SERT and CNT services within a 50-mile radius of Central Precinct must receive approval from the on-call CIC and the designated Assistant Chief. Requests for full team SERT and CNT assistance beyond the 50-mile radius must receive the approval of the Deputy Chief of Police or, if unavailable, the designated Assistant Chief. All such requests for full team SERT and CNT services that are approved require SERT and CNT command and the CIC to respond. The CIC will work with the agency lead assigned to command the incident and ensure that full team SERT and CNT resources are properly and safely utilized.
6. Special Weapons Use:
 - 6.1. SERT and RRT shall be responsible for developing and conducting annual special weapons qualification courses and for establishing qualification and familiarization standards for their respective teams.
 - 6.2. The use of special weapons is restricted to SERT and RRT members who have successfully completed the special weapons qualification course within the last twelve months, as required by SERT and RRT training policy.
 - 6.3. The Training Division shall be responsible for maintaining complete training records of participating SERT and RRT members.
 - 6.4. The SERT team leader shall decide when special weapons shall be carried by SERT members in an emergency police action; however, absent exigent circumstances, the use of special weapons shall be determined by the CIC.

History:

- Originating Directive Date: 09/06/01
- Last Revision Signed: 06/01/20
 - Effective Date: 07/01/20
- Next Review Date: 07/01/22

720.00, Special Emergency Reaction Team (SERT) and Crisis Negotiation Team (CNT) Use

Refer:

- [DIR 631.35, Press/Media Relations](#)
- [DIR 730.00, Bureau Response to Active Violence Incidents](#)
- DIR 1010.00, Use of Force
- [Investigations Branch Standard Operating Procedure #1, Planned Arrest and Search Warrant Execution](#)

Definitions:

- Activation Tiers: There are three progressive tiers of activation: 1) Unit Assistance, 2) Limited Deployment, and 3) Activation.
 - Unit Assistance: [Special Emergency Reaction Team \(SERT\)](#) and [Crisis Negotiation Team \(CNT\)](#) members used to assist during incidents short of full activation. Such assistance is limited to members utilizing the ~~non~~[less-lethal tools and equipment](#) that are available to SERT and CNT, and are not available for patrol operations (e.g., pole cameras, robots, armored vehicles, etc.), and where SERT and CNT does not provide supervisory oversight of the incident. On-duty assistance is not a substitute for a limited deployment or full activation. A Critical Incident Commander ([CIC](#)) is not required to respond for this level of activation.
 - Limited Deployment: A tactical response authorized by a CIC that includes SERT only, CNT only, or a partial response by either or both units utilizing tools or tactics available to the CIC.
 - Activation: Receiving an order to report for duty. ~~Special Emergency Reaction Team (SERT)~~ and ~~Crisis Negotiation Team (CNT)~~ members will report to the requested location, prepare for deployment, and respond to mission requests at the direction of the On-Scene Incident Commander or ~~Critical Incident Commander (CIC)~~[CIC](#).
- Appropriate Initiative: The authority delegated to SERT and CNT by the CIC, unless specifically suspended during a call, to safely resolve an incident before they are able to request and receive permission from the CIC (i.e., “window of opportunity”).
- Command Post: Any location, fixed or mobile, designated by the On-Scene Incident Commander or ~~Critical Incident Commander~~[CIC](#) from where operations are directed.
- Critical Incident Commander (CIC): A specially-~~trained~~ on-call command person who responds to all SERT and CNT activations (other than unit assistance), high-risk warrants, and any other event designated by the ~~Assistant Chief of Operations or the~~ Chief of Police ~~or~~ [designee](#). The CIC has the authority and responsibility for all police actions related to the incident and reports to the ~~designated~~ [Assistant Chief of Operations](#) during emergency activations.
- On-Scene Incident Commander: The highest-~~ranking~~, sworn Police Bureau member who assumes command at the scene of an incident prior to the CIC assuming command.

- Police Action: Any circumstance, on or off duty, in which a sworn member exercises or attempts to exercise police authority.
- Rapid Response Team (RRT): The Bureau's all-hazard team of members who are specially trained to assist in the response to manmade/natural disasters and other emergency management situations which include, but are not limited to, the management and control of crowds through various tactics and techniques.
- Special Weapons: Any weapons provided or approved by the Bureau and authorized to be used only by trained SERT and ~~Rapid Response Team~~ (RRT) members in a police action. Examples of special weapons include non-aerosol contained chemical agents (including CS gas), automatic weapons, rifles and other special tactical weapons and ammunition.

Policy:

1. This Directive sets forth the protocols for accessing SERT and CNT resources, prescribes when the use of the units is mandatory, establishes a clear chain of command during activations, and defines responsibilities.
2. In accordance with the Police Bureau's mission, members will make every effort to ensure the safety of everyone involved in an incident while attempting to de-escalate and resolve special emergency situations. The Bureau recognizes that some incidents may require the support of specially trained incident commanders and tactical and negotiating teams to increase the ability to safely resolve these situations.
3. There is nothing in this directive that would prohibit a member of SERT from taking police action outside of team activations. In these instances, SERT members shall follow directives and training guidelines set forth by the Bureau.

Procedure:

1. SERT and CNT Activations:
 - 1.1. SERT and CNT Assistance: SERT and CNT serve to provide tactical support to the Police Bureau. After reasonable efforts have been undertaken to resolve an incident, Bureau members may request SERT and CNT assistance to de-escalate an escalating situation, devise and implement re-engagement plans, or to decisively resolve an incident.
 - 1.2. Mandatory Activation Situations:
 - 1.2.1. In all situations described below, SERT and CNT activation procedures shall be implemented after the On-Scene Incident Commander has gathered sufficient information to believe with a reasonable degree of certainty that one of the listed situation exists.
 - ~~1.2.1.1.1.1.1.1. Hostage Situation: An incident involving a person being held by a suspect who is reasonably believed to be armed, as a means of forcing compliance with some demand.~~
 - ~~1.2.1.2.1.1.1.1.1. Sniper Situation: A person, usually concealed, shooting or threatening to shoot at other people.~~

1.2.1.3.1.2.1.1. Active ~~Shooter: An~~ Violence Incident: An incident involving an armed person(s) who has the ability and intent to use or has used deadly force on other persons and continues to do so while having unrestricted access to additional victims. These incidents include circumstances under which the threat of deadly force may include but are not limited to a suspect's use of knives, firearms, vehicles, and/or explosive devices.

1.2.1.4.1.2.1.2. High-Risk Search/Arrest warrant: Where there is a potential threat sufficient to require SERT and CNT to execute the warrant. Requests for SERT to execute warrants will be forwarded through channels along with a completed SERT Service Request – Planned Operations Risk Assessment Form. All SERT warrant plans require prior CIC approval and command during service. At the conclusion of the warrant service, SERT will attach and forward the original assessment form along with their After Action Report to the Chief of Police's Office.

1.2.1.3. Hostage Situation: An incident involving a person being held by a suspect who is reasonably believed to be armed, as a means of forcing compliance with some demand.

1.2.1.4. Sniper Situation: A person, usually concealed, shooting or threatening to shoot at other people.

1.3. Discretionary Activation Situations:

1.3.1. In all situations described below, activation procedures may be implemented for SERT and CNT, if Bureau members have undertaken reasonable efforts ~~have been undertaken by Bureau members~~ to resolve an incident and members are uncertain regarding the advisability of disengagement from the incident. Bureau members may consult with SERT, CNT and CIC to determine a course of action. If the CIC deems activation is appropriate, they will initiate the proper activation tier.

1.3.1.1. Barricaded Person: SERT and CNT response is required in cases where patrol or other units have exhausted reasonable efforts to resolve a barricade incident where a person uses an obstruction (e.g., building, car, etc.) with the threat of deadly force to accomplish a criminal goal such as avoiding capture, and a determination is made that the totality of circumstances do not support disengagement from the incident.

1.3.1.2. Area Search for an Individual Armed with a Gun: SERT and CNT activation is required to support or assist patrol during incidents where a search is necessary for an armed individual(s) who has fled or is hiding from members in a respective area. Involved supervisors must evaluate whether effective containment of the suspect has likely been achieved within a suitable geographic area in order to conduct an area search. In cases where supervisors conclude that effective containment of the suspect is achieved, supervisors shall activate SERT and CNT to conduct the area search.

1.3.1.3. Any other requests or circumstances approved by the CIC.

1.4. An On-Scene Incident Commander may contact and consult with the on-call CIC at any point during the incident.

2. Responsibilities:

- 2.1. Operations Branch: The Operations Branch has full responsibility for the Bureau's initial response to a field tactical situation. ~~Whenever~~However, when SERT and/or CNT are called to a tactical operation, they shall be under the direct command of ~~the Operations Branch~~an Assistant Chief, as directed by the Chief of Police, for the duration of the incident.
- 2.1.1. The CIC shall inform the designated Assistant Chief of ~~Operations will be notified by the CIC of~~ all full deployments and the service of high-risk warrants as soon as it is practical to do so. The Assistant Chief ~~of Operations~~ will respond to the scene and assume command of full deployments and high-risk warrant service in the event that no CICs are available.
- 2.2. On-Scene Incident Commander: The On-Scene Incident Commander has the authority and responsibility for all police actions during the incident unless, or until, relieved by the CIC.
- 2.3. Critical Incident Commander: The CIC responds to all emergency SERT and CNT activations, warrants, and limited deployments. The CIC has the authority and responsibility for all police actions during an incident once they assume command from the On-Scene Incident Commander.
- 2.4. Precinct Commander: The Precinct Commander, or their designee, will respond to all activations, with the exception of high-risk warrant service. The Precinct Commander (or designee) will direct patrol resources in support of the event at the direction of the CIC. The Precinct Commander (or designee) will also manage precinct operations unrelated to the event.
- 2.4.1. If the Precinct Commander is the on-call CIC for the incident, the Precinct Commander shall designate a member to supervise the precinct response.
- 2.5. In the event that all CICs are unavailable, the designated Assistant Chief ~~of Operations~~ will be responsible for responding to and managing all emergency SERT/CNT activations, warrants, and limited deployments. In the event the Assistant Chief ~~of Operations~~ is unavailable, the ~~Precinct Commander~~ of the event location shall be responsible. If they are not available, the Precinct Commander closest geographically to the incident shall be responsible.
- 2.6. If it is determined that SERT and CNT are needed, that information shall be relayed to a supervisor (i.e., a member at the rank of sergeant or above) who can initiate an activation and immediately report to the scene, if not already present.
- 2.7. SERT, CNT, and CIC activation procedures shall be implemented by the Bureau of Emergency Communications (BOEC) upon the order of a supervisor. The precinct of occurrence will be responsible for making all command notifications.
- 2.8. The tactical functions, which shall be accomplished by the CIC, include:

- 2.8.1. Assessment of the situation.
 - 2.8.1.1. Assume command and communicate.
 - 2.8.1.2. Ensure adequate and appropriate resources are on-scene or en-route.
 - 2.8.1.3. Prioritize the objectives (e.g., life/safety, containment needs, end state, etc.).
 - 2.8.1.4. Legal standing.
- 2.8.2. Development of the plan.
 - 2.8.2.1. The plan and subsequent supporting missions are based on the above assessment. Continually re-evaluate as the call progresses.
 - 2.8.2.2. Create a command post that includes SERT, CNT, and Patrol command.
 - 2.8.2.3. Consult with SERT, CNT, and Patrol when time allows.
 - 2.8.2.4. Communication: Ensure that SERT, CNT, and Patrol all have the same situational awareness.
- 2.8.3. Execution of the mission.
 - 2.8.3.1. Communicate clear and specific missions to each resource.
 - 2.8.3.2. Clearly communicate the CIC's intent throughout the incident.
 - 2.8.3.3. Communicate the results of each mission to maintain the same situational awareness by SERT, CNT, and Patrol.
- 2.8.4. Support.
 - 2.8.4.1. Displaced community members.
 - 2.8.4.2. Relief of members.
 - 2.8.4.3. Medical.
 - 2.8.4.4. Fire.
 - 2.8.4.5. Designation of an off-site briefing post for City representatives.
 - 2.8.4.6. Public Information Officer (PIO): Coordinate media message and/or community notification.
 - 2.8.4.7. Post-incident coordination.
- 2.9. Once the activation procedure has been initiated, SERT and CNT shall be on standby status until the On-Scene Incident Commander or the CIC directs them to perform in either their separate functions or as part of the operation.
- 2.10. SERT and CNT may be canceled only by the On-Scene Incident Commander or the CIC.
- 2.11. The CIC (regardless of rank) has the authority and responsibility to direct all Bureau resources towards the situationally appropriate resolution of an incident and reports only to the designated Assistant Chief ~~of Operations~~ during activations. When time and circumstances permit, the CIC will consult with SERT about tactics, with CNT about negotiations, and with Patrol Command about resources. The CIC shall determine the objectives and approve the missions to meet those objectives of the operation, while the team leaders of each unit shall develop the specific tactics or strategies to effectively execute the missions. However, the CIC is ultimately responsible for the approval of tactics, negotiations and the allocation of resources. The CIC will direct SERT, CNT and Patrol resources. The CIC may, at any time, direct or stand down, tactical, negotiation, or patrol responses. SERT and CNT shall not take action independent from the CIC direction, except when a member reasonably believes that an immediate

threat of death or serious physical injury exists or as part of being delegated ~~appropriate initiative~~Appropriate Initiative.

2.12. Appropriate ~~initiative~~Initiative must meet the standard of having a high likelihood of success. This clearance to act should be used in limited circumstances ~~and generally involves single individuals.~~ SERT and CNT must understand the CIC's intent. Members taking action under appropriate initiative must immediately communicate whether the action was successful. Appropriate ~~initiative~~Initiative is not a substitute for requesting permission for action when time allows. SERT and CNT supervisors and members assume responsibility for actions taken in the exercise of ~~appropriate initiative~~Appropriate Initiative.

3. Bureau Supervisors and Non-Police Bureau Personnel:

3.1. Bureau supervisors and City representatives not involved in the operation shall be directed to a location other than the command post, as designated by the CIC. The CIC will appoint one member as liaison to keep these observers apprised of any changes in conditions.

4. Outside Agency Coverage:

4.1. ~~In accordance with established memoranda of understanding between the City of Portland and neighboring counties~~Generally, outside agency tactical and negotiation teams are authorized to provide coverage when SERT and CNT are unavailable. In these situations, the on-call PPB CIC will respond and command the incident.

4.1.1. ~~Members~~In these circumstances, members should be aware that the conduct of the outside agency's officers is subject to their respective policies and procedures.

5. Outside Agency Requests:

5.1. Outside agency requests for full team SERT and CNT services within a ~~fifty (50)~~-mile radius of Central Precinct must receive approval from the on-call CIC and ~~the designated Assistant Chief of Operations or, if unavailable, the Assistant Chief of Investigations.~~ Requests for full team SERT and CNT assistance beyond the ~~fifty (50)~~-mile radius must receive the approval of the Deputy Chief of Police or, if unavailable, the designated Assistant Chief ~~of Operations~~. All such requests for full team SERT and CNT services that are approved require SERT and CNT command and the CIC to respond. The CIC will work with the agency lead assigned to command the incident and ensure that full team SERT and CNT resources are properly and safely utilized.

6. Special Weapons Use:

6.1. SERT and RRT shall be responsible for developing and conducting annual special weapons qualification courses and for establishing qualification and familiarization standards for their respective teams.

6.2. The use of special weapons is restricted to SERT and RRT members who have successfully completed the special weapons qualification course within the last twelve months, as required by SERT and RRT training policy.

- |
- 6.3. The Training Division shall be responsible for maintaining complete training records of participating SERT and RRT members.
 - 6.4. The SERT team leader shall decide when special weapons shall be carried by SERT members in an emergency police action; however, absent exigent circumstances, the use of special weapons shall be determined by the CIC.

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, December 17, 2019 9:15:49 AM
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Time Spent: 00:09:42

Page 1

Q1 Please provide feedback for this directive

With the training that these tactical officers receive I hope that they will use tactical weapons first to capture the suspect unless they have already caused the loss of a life then and only then shall live rounds be used to subdue and capture. Also make sure that there is not a disproportionate amount use for one community over the other ei... blacks over whites, native over whites and so forth. If we can pay attention to how officers truly operate within the community they service and reform that maybe we can finally rebuild some trust in our community. Thanks for reading and listening!

Q2 Contact Information (optional)

Name

Email Address

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, December 17, 2019 10:30:46 AM
Last Modified: Tuesday, December 17, 2019 10:33:53 AM
Time Spent: 00:03:06

Page 1

Q1 Please provide feedback for this directive

Hello,
My name is XXXX. I am a City of Portland employee at the Office of Community and Civic Life. My role is a Community Safety Coordinator. Here is the feedback I have for Directive 720.00.

First bullet point under "Definitions:" change "non-lethal" to "less-leathel".
In the Definitions: section. There should be a new position that is created for a Civilian observer who has no command power but is trained in police policies and procedures and will work closely with bureaus PIO. This Civilian observer will have no command authority but will also not be commanded by any Portland Police Bureau employee o police employees of neighboring counties.
The word "reasonable" is used throughout the document but is never defined. What one officer, CIC or CNT thinks is "reasonable" will change from one to the next. This word needs to be clarified. Officers also need to clearly understand where the boundaries are.
1.3.1.3 should include examples of what other kids of situations would deem approval of the CIC for activations.
2. Responsibilities: Should include those for the newly formed Civilian Oversight
2.8.2.4 Should include communication to the PIO and community. It is important that the communication to the community and public are a top priority from the start.
2.8.4.1 Should include grief counselors and resource coordinators as needed for displaced community members. This could also be included in the section 2.8.4.7.

Q2 Contact Information (optional)

Name
Email Address
Phone Number

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, December 29, 2019 12:15:09 PM
Last Modified: Sunday, December 29, 2019 12:20:29 PM
Time Spent: 00:05:20

Page 1

Q1 Please provide feedback for this directive

Section 1.3.1.2 is listed under the discretionary activations section, but as written is actually mandatory, assuming effective containment is achieved. This is confusing and activations of this type should be listed in the mandatory section.

Section 2.12-The phrase "generally involves single individuals" is unclear and should be clarified or removed. Does it mean generally involves single officers? Single suspects? Single victims? It seems this should be removed entirely and let the people taking the action decide when it is advisable to act with "appropriate initiative", regardless of how many "individuals" are present

Q2 Contact Information (optional)

Name

Email Address

Phone Number

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 30, 2019 6:05:53 PM
Last Modified: Monday, December 30, 2019 6:06:43 PM
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Page 1

Directive 720.00 Feedback

Q1 Please provide feedback for this directive

COMMENTS ON SERT AND ARREST WITH WARRANT DIRECTIVES DECEMBER 2019

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

Below are Portland Copwatch's comments on the Special Emergency Reaction Team (SERT) (720.00) and Arrests with Warrant (840.00) Directives posted for review in December at (<http://www.portlandoregon.gov/police/59757>).

Our comments below follow up the comments we made in April 2016 and August 2019 on these policies, respectively. We once again repeat our request to extend the public comment period to 45 days to make it easier for the general public as well as advisory groups like the Portland Committee on Community Engaged Policing (PCCEP) and Citizen Review Committee to weigh in.

Sections referenced below are in the "Procedure" part of the Directive unless otherwise noted. If each general area were given a number or letter (say, A=Definitions, B=Policy, C=Procedures) and the Definitions were numbered it would be much easier to make quick references to the correct Section.

DIRECTIVE 720.00 SPECIAL EMERGENCY REACTION TEAM AND CRISIS NEGOTIATION TEAM

We will note that the Bureau took our advice and numbered the types of activations the Special Emergency Reaction Team (SERT) and Crisis Negotiation Team (CNT) can undertake, even lining them up from least intrusive ("Unit Assistance") to most ("Activation"). The Bureau also fixed a typo we noted and removed many duplicate references to the full names of the Teams.

However, here are comments we made previously that have not been addressed either fully or at all:

--This Directive is confusing because of the various parties involved-- an Assistant Chief oversees a Critical Incident Commander, who takes over for an On-Scene Supervisor, all of whom can direct SERT and CNT, while a Precinct Commander runs the "patrol resources."

--The name of SERT should be the same as is listed in other City publications (including at the Fire Bureau and the PPB): the "Special Emergency Response Team." Portlanders are better served by a Team that is responsive than one which is reactionary.

--We suggest moving the "High Risk Search/Arrest Warrant" Section (currently 1.2.1.4) to the top of the subsections of 1.2.1 as that is likely a more common scenario than a "Hostage Situation", "Sniper Situation" or "Active Shooter." The order and language should reflect the frequency with which officers might expect to encounter such events so as not to create a sense of fear. In the same way, Training should emphasize daily / routine encounters over extreme circumstances.

--While Section 1.3.1.1 about barricaded persons advises officers to determine whether disengagement is the best policy, there should be more emphasis on these options in the same way the lead paragraph on SERT/CNT (1.1) talks about de-escalation.

-- The Sections about the SERT/CNT teams being called in by a "supervisor" (2.6 and 2.7) are not clear whether this means the "On-Scene Incident Supervisor," a Sergeant, or someone else. This Directive has to be specific to avoid future scenarios such as the Aaron Campbell tragedy where two supervisors had two different ideas how to resolve the situation.

---On a related note, Section 2.8.1.1 calls for the Incident Commander to "Assume command and communicate," which is not specific enough. Ensuring all officers/teams communicate with each other is crucial; both Campbell and Raymond Gwerder (and likely more civilians) would probably not be dead if officers communicated better. There is some clarity in Section 2.8.2.4 on Communication saying the SERT, CNT and Patrol officers should all "have the same situational awareness" but this point cannot be over-emphasized.

--Section 2 11 envisions the Assistant Chief supervising the Incident Commander but doesn't reflect the concept in Section 2 5 that

Directive 720.00 Feedback

Section 2.12 envisions the Assistant Chief supervising the Incident Commander, but doesn't reflect the concept in Section 2.13 that Precinct Commanders may fill in for the A/C if he/she is not available. Maybe use "or designee" to be clear.

Two new comments:

- 1) In the definition of and Section about Special Weapons, the Rapid Response Team is referenced. There is nowhere else in this Directive where the RRT is defined, given direction or even explained as to how it interacts with the SERT and CNT teams.
- 2) We have some concern about the use of the term "non-lethal tools" in the definition of "Unit Assistance," in this case referring to pole cameras, robots and armored vehicles. It may be more clear to say "equipment not designed to be used as weapons" since, for instance, an officer in St. Helens recently deliberately ran over a suspect with a patrol car and was cleared of criminal wrongdoing. Furthermore, robots should not be considered non lethal based on the use of one to blow up a suspect in Dallas in 2016.*

CONCLUSION

We once again appreciate the opportunity to comment, but still hope more time will be given for review, and perhaps an occasional public dialogue about the proposed changes. We recognize that Chief Outlaw will not be overseeing the changes to these policies, but hope incoming Chief Resch will take our concerns seriously. The Bureau's ability to issue final Directives pushing back on public input by simply stating that you disagree with the comments isn't a means to build trust or improve the Bureau's behavior. After all the point of this exercise, implemented as part of the US Department of Justice Agreement, is to make sure the Bureau will serve and protect Portland's residents in a fair, impartial and constitutional manner.

--Portland Copwatch

*-<https://www.theguardian.com/technology/2016/jul/08/police-bomb-robot-explosive-killed-suspect-dallas>

Q2 Contact Information (optional)

Name

Email Address

#1

COMPLETE

Collector: Web Link 1 (Web Link)
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Page 1

Q1 Please provide feedback for this directive

On-Scene Incident Commander. As per PPB Directive 700.00 NIMS and ICS, the Incident Commander is the person most qualified to manage the event, regardless of rank. Any deviation to the strategies and objectives set forth by the Incident Commander (IC) must be communicated to the IC before implementation. Aaron Campbell was killed by police when a supervisor, who was not the IC, disregarded strategies and objectives set by the IC.

Q2 Contact Information (optional)

Respondent skipped this question

#2

COMPLETE

Collector: Web Link 1 (Web Link)
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Page 1

Directive 720.00 Feedback

Q1 Please provide feedback for this directive

COMMENTS ON SERT AND EYEWITNESS IDENTIFICATION DIRECTIVES, MARCH 2020

To Chief Resch, Capt. Parman, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Community Oversight Advisory Board staff, US Dept. of Justice, Citizen Review Committee and the Portland Police Bureau:

Below are Portland Copwatch's comments on the Special Emergency Reaction Team/SERT (720.00) and Eyewitness Identification (870.80) Directives posted for review in February/March at (<http://www.portlandoregon.gov/police/59757>).

Our comments below are following up the comments we made in April 2016/December 2019 and November 2019 on these policies, respectively. Though we have said it repeatedly, we still ask that the Bureau extend the public comment period to 45 days to make it easier for the general public as well as advisory groups like the Portland Committee on Community Engaged Policing, Citizen Review Committee, and Training Advisory Council (which only meet once every month or every two months) to weigh in.

Unless otherwise noted, sections referenced below are in the "Procedure" part of the Directive. We also have repeatedly suggested assigning each large area of the Directive a number or letter (i.e., A=Definitions, B=Policy, C=Procedures) and numbering the Definitions for quick reference.

DIRECTIVE 720.00 SPECIAL EMERGENCY REACTION TEAM AND CRISIS NEGOTIATION TEAM

The Directive on the Special Emergency Reaction Team (SERT) and Crisis Negotiation Team (CNT) includes a few important changes, but not enough. We appreciate that the Bureau inserted a Definition for the Rapid Response Team (RRT) as we suggested previously. We will address a few other changes related to our comments below.

One of the most important comments we've made several times has not been addressed: "The name of SERT should be the same as is listed in other City publications (including at the Fire Bureau and the PPB): the 'Special Emergency Response Team.' Portlanders are better served by a Team that is responsive than one which is reactionary." If the Gang Enforcement Team could easily be re-named, so can SERT.

Though the RRT is now defined in the Directive, their only other mention is in Section 6 on Special Weapons. There is still no indication of how the rest of the policy relates to the RRT or how they interact with SERT.

The Bureau did, per our suggestion, move "Hostage Situation" and "Sniper Situation" to the end of the mandatory activations (1.2), but still lists "High Risk Search/Arrest Warrant" after "Active Shooter." Our point was for the order and language to reflect the frequency with which officers might expect to encounter such events so as not to create a sense of fear. We noted that PPB's Training should similarly emphasize daily / routine encounters over extreme circumstances.

In the definition of "Unit Assistance," the Bureau changed the term "non-lethal tools" to "less lethal tools." However, as we stated in our December comments, because this refers to "pole cameras, robots and armored vehicles" it may be more clear to say "equipment not designed to be used as weapons." While officers have used robots and (including in Oregon) vehicles as weapons, that is not their intended purpose. A vehicle is not really a "non lethal tool." Moreover, it is highly unlikely that a pole camera will be used as a weapon.

While the Bureau did replace the Assistant Chief's role in the Definition of Critical Incident Commander with "Chief of Police or Designee," they did not fix Section 2.11 in which the A/C has to supervise the Incident Commander. We suggested "or designee" for 2.11, and/or reflecting the language from Section 2.5 that allows Precinct Commanders to fill in for Assistant Chiefs if they are not available.

Along those lines, it's not clear why SERT operations have been moved from the Operations Branch to the Investigations Branch, but the same definition (Critical Incident Commander) still refers to the A/C of Operations while that has been changed to Investigations in Sections 2.1, 2.5, 2.11 and 5.1

Directive 720.00 Feedback

This change causes confusion in Section 2.1, which is labeled "Operations Branch" but then talks about how the Investigations Branch will be involved in SERT's tactical operations including high risk warrant service.

These other comments we made previously have still not been addressed:

--This Directive is confusing because of the various parties involved-- an Assistant Chief oversees a Critical Incident Commander, who takes over for an On-Scene Supervisor, all of whom can direct SERT and CNT, while a Precinct Commander runs the "patrol resources."

--While Section 1.3.1.1 about barricaded persons advises officers to determine whether disengagement is the best policy, there should be more emphasis on these options in the same way the lead paragraph on SERT/CNT (Section 1.1) talks about de-escalation.

-- The Sections about the SERT/CNT teams being called in by a "supervisor" (2.6 and 2.7) are not clear whether this means the "On-Scene Incident Supervisor," a Sergeant, or someone else. This Directive has to be specific to avoid future scenarios such as the Aaron Campbell tragedy where two supervisors had two different ideas how to resolve the situation.

---On a related note, Section 2.8.1.1 calls for the Incident Commander to "Assume command and communicate," which is not specific enough. Ensuring all officers/teams communicate with each other is crucial; both Campbell and Raymond Gwerder (and likely more civilians) would probably not be dead if officers communicated better. There is some clarity in Section 2.8.2.4 on Communication saying the SERT, CNT and Patrol officers should all "have the same situational awareness" but this point cannot be over-emphasized.

One final comment based on an incident which came before the Citizen Review Committee and City Council. In addition to being found out of policy for retaliating against a community member who made a face at his armored vehicle and photographed it, Officer Neil Parker was found to be in violation for failing to have a business card to hand the civilian. His excuse was that he was in his SERT uniform rather than his normal patrol outfit. The tactical units should not be exempted from the identification Directive (312.50) and that should be reflected here. (Note: The complainant also stated that Officer Parker did not have his name on his outermost garment, which would be another violation of the identification Directive.)

CONCLUSION

As in the past, PCW is thankful for the ability to comment on Directives but would still like to see other changes to the process. Improvements should include some kind of public discussion around important policies, extended timelines for commenting and more clarity in formatting. The two Directives under review this cycle are both in the "Second Universal Review" of 30 days and were released with public comments attached, showing that PCW was only one of four entities reviewing 720.00 and one of two reviewing 870.80. Simply posting items to the website is not the same as engaging the community to ask for feedback. With issues such as identifying suspects, the PPB should actively seek input from entities such as the ACLU, public defenders and legal aid groups, for example.

Thank you

--Portland Copwatch

Q2 Contact Information (optional)

Name

Email Address
