



## CITY OF PORTLAND, OREGON



### Bureau of Police

Ted Wheeler, Mayor

Charles Lovell, Chief of Police

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## Executive Summary Directive 0630.15, Foot Pursuits

### **Introduction**

The Portland Police Bureau initiated its review of Directive 0630.15, Foot Pursuits, in early 2020. The directive establishes the Bureau's procedures for engaging in foot pursuits and alternative apprehension strategies.

### **Public Comments**

The Bureau received many comments over the course of both universal review and public comment periods, with community and Bureau members submitting most of their feedback on the previous version of the directive during the first comment period. The Bureau also received recommendations from the Portland Committee on Community Engaged Policing (PCCEP) and, previously, the OIR Group, as well as an action item from the Police Review Board (PRB). Stakeholders submitted broad recommendations—identifying the need for the Bureau to merely revise and update the directive, and more detailed suggestions, such as addressing a member's decision to pursue an individual; including specific guidance regarding dispatch notifications; and contextualizing pursuits, as it pertains to the severity of the crime.

### ***OIR Recommendation***

The OIR Group previously recommended that the Bureau revise its policy to include additional considerations for members when deciding to initiate or continue a pursuit, suggested that the Bureau consider including in the policy specific guidance on various tactical strategies (e.g., separating from a partner officer) and dispatch notifications, and proposed the removal of potential ambiguous guidance regarding the pursuit of armed suspects.

The Bureau adopted many of the OIR's recommendations, including clarifying member considerations and incorporating member responsibilities when they engage in a pursuit. The suggestion that the policy include a discussion on certain tactics seem to be more appropriate for training materials. The directive contemplates some tactical considerations in the "Foot Pursuit Restrictions" section; however, the Bureau often relies on training instruction to cover the finer points (e.g., detailed tactics) of a subject.

### ***Police Review Board Action Item***

In a 2019 recommendation, the PRB suggested that the Bureau review the directive to determine the "standard of review" for foot pursuits.

Mindful of the PRB's recommendation, the Bureau revised the directive to provide a clearer framework or standard through which supervisors review these incidents. The directive clearly

states member responsibilities and considerations, clarifies restrictions, and requires member justification and documentation of the action they take.

### ***PCCEP Recommendation***

The PCCEP recommended that the Bureau “amend [its] foot pursuit policy to further limit use of force to situation that pose a threat of serious bodily harm to officers or the public” and “...modify Directives [sic] 0630.15 to reduce potential misuse/overuse of foot pursuits—and the force that can accompany a foot pursuit—against individuals who pose no immediate threat to the officers/public or who are not suspected of committing a violent felony.”

The Bureau recognizes the PCCEP’s primary objective to avoid or minimize member use of force; however, the recommendation is quite narrow and would preclude the Bureau from immediately apprehending a suspect who has committed a very serious crime, though perhaps not a violent person felony crime. With the spirit of the PCCEP’s recommendation in mind, the Bureau revised the directive to emphasize the use of tactical apprehension strategies (defined in the directive) and de-escalation, instead of engaging in a foot pursuit, where possible. The policy also imposes a burden on the member to articulate and justify why they chose to pursue a suspect, rather than utilizing de-escalation tactics or employing tactical apprehension strategies. This is a significant shift from the previous policy.

Although we are unable to adopt the PCCEP’s recommendation, as proposed, for public safety and practical reasons, the Bureau submits that the revised policy is consistent with the objective of the recommendation and establishes a clearer and, arguably, more restrictive procedure.

### ***Decision to Engage in a Pursuit***

A commenter suggested that the previous directive appeared to encourage members to engage in foot pursuits. The Bureau updated the directive both to include a requirement that members employ tactical apprehension strategies instead of initiating a pursuit (unless a foot pursuit would be safer for the member or the public), and include language that prohibits retaliating against a member for deciding not to engage in or discontinuing a foot pursuit.

### ***Dispatch Notification***

OIR and several commenters during the first universal review and public comment period offered recommendations on the timing and content of members’ dispatch notifications. As several commenters noted, foot pursuits are dynamic in nature, so the timing of the notification is challenging to prescribe. With this in mind, but recognizing the need for a greater standard, the Bureau now requires members to notify dispatch, though when it is safe to do so.

Another commenter questioned the shift from requiring that members broadcast whether the suspect is armed to a broader requirement (i.e., any other information relevant to the safe and successful apprehension of the suspect). Like the revised language regarding the timing of the dispatch notification, the revised portion of the policy pertaining to the content of the notification takes into account the unique, dynamic, and often brief nature of foot pursuits. The revised guidance aims to move away from a script-like recitation of what to broadcast, allowing the member, who has firsthand knowledge of what is relevant to a specific incident, to make a

training-informed determination of what information to disclose in a highly time-sensitive situation.

### ***Severity of the Crime***

One commenter offered that the directive does not provide clear enough guidance on why it might be reasonable to conduct a foot pursuit for a low level violation, thus leaving members under the impression that they should not consider the severity of the crime.

The updated directive de-emphasizes initiating a pursuit and requires members to use tactical apprehension strategies before considering a foot pursuit, in most situations. The emphasis on de-escalation, combined with the restrictions imposed upon members, provide for limited circumstances under which members could initiate a pursuit. If a potentially pursuing member believes that the danger posed by the suspect (e.g., due to the severity of the crime, if the suspect is armed, etc.) or the pursuit itself does not outweigh the need to immediately apprehend the subject, then they are not permitted to initiate a pursuit. There are many factors that members must consider, particularly if they are considering a pursuit.

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 contact information to protect the privacy of commenters.

### **The Bureau's Revised Policy**

The Bureau incorporated many of the recommendations offered by community, internal, and other stakeholders. The revised directive imposes more restrictions on members, requiring the use of de-escalation tactics (i.e., tactical apprehension strategies) prior to initiating a foot pursuit. The directive also clarifies terms used in the policy, provides clearer guidance on when foot pursuits are permissible, and includes additional justification and documentation requirements.

The Bureau welcomes further feedback on this policy during its next review.

*Note: On November 9, 2021, the Bureau temporarily delayed the enactment of DIR 0630.15 and removed it from the PPB website to allow for additional internal review of the directive. The Bureau did not make any revisions to the directive during the brief internal review period. As a result, Chief Lovell re-signed the directive on December 15, 2021, and it will go into effect on January 14, 2022.*

Published on December 15, 2021.

*Note: On November 9, 2021, the Bureau temporarily delayed the enactment of DIR 0630.15 and removed it from the PPB website to allow for additional internal review of the directive. The Bureau did not make any revisions to the directive during the brief internal review period. As a result, Chief Lovell re-signed the directive on December 15, 2021, and it will go into effect on January 14, 2022.*

## **0630.15, Foot Pursuits**

### **Refer:**

- ORS 131.615, Stopping of persons
- ORS 153.039 Stop and detention for violation
- DIR 0600.00, Use of Aircraft
- DIR 0630.05, Vehicle Pursuits
- DIR 0720.00, Special Emergency Response Team (SERT) and Crisis Negotiation Team (CNT) Use
- DIR 1010.00, Use of Force

### **Definitions:**

- De-escalation: A deliberate attempt to prevent or reduce the amount of force necessary to resolve the confrontation.
- Foot pursuit: An attempt, by a member on foot, to end the flight of a suspect by closing the distance (proximity) on the suspect or using physical control.
- Tactical Apprehension Strategy: A plan, not including a foot pursuit, to safely monitor and, ultimately, apprehend a fleeing suspect.

### **Policy:**

1. This policy establishes procedures for utilizing Tactical Apprehension Strategies and engaging in foot pursuits. The Portland Police Bureau authorizes only its sworn members to engage in foot pursuits.
2. The Bureau acknowledges the inherent dangers that foot pursuits pose to Bureau and community members. Safety is paramount and will be members' primary consideration when determining whether to initiate or continue a foot pursuit. Accordingly, the Bureau prioritizes the use of tactical apprehension strategies over foot pursuits because of their emphasis on de-escalation. However, the Bureau also recognizes that its members have a duty and responsibility to attempt to apprehend offenders when appropriate. Members must conduct foot pursuits in a way that minimizes the risks to Bureau and community members.

### **Procedure:**

1. Deciding Whether to Pursue.
  - 1.1. Members have the authority to stop any person they reasonably suspect has committed or is about to commit a crime.
  - 1.2. If a suspect flees on foot, members should decide whether to pursue with an awareness of the degree of risk to which the member exposes themselves and others.
  - 1.3. A foot pursuit in and of itself does not constitute a use of force. If, during the course of a foot pursuit, a member uses force, the member must act in accordance with Directive 1010.00, Use of Force, with regard to their application and reporting of force.

*Note: On November 9, 2021, the Bureau temporarily delayed the enactment of DIR 0630.15 and removed it from the PPB website to allow for additional internal review of the directive. The Bureau did not make any revisions to the directive during the brief internal review period. As a result, Chief Lovell re-signed the directive on December 15, 2021, and it will go into effect on January 14, 2022.*

1.4. No member of the Bureau shall criticize or retaliate against another member for deciding not to initiate, discontinuing their involvement in, or terminating a foot pursuit.

## 2. Tactical Apprehension Strategies.

2.1. Tactical apprehension strategies are not foot pursuits. Examples of tactical apprehension strategies include, but are not limited to:

- 2.1.1. Following and maintaining a safe distance.
- 2.1.2. Paralleling the suspect.
- 2.1.3. Following a different route than the suspect (e.g., wide corners).
- 2.1.4. Using available cover (e.g., parked cars).
- 2.1.5. Establishing a perimeter and conducting a block search or K9 track.
- 2.1.6. Obtaining assistance from Air Support Unit or SERT.

2.2. Members are required to employ tactical apprehension strategies instead of initiating a foot pursuit, unless there is an articulable reason why a foot pursuit would be safer for the member or the general public. .

## 3. Foot Pursuit Restrictions.

3.1. Members shall not engage in or continue foot pursuits in the following circumstances:

- 3.1.1. Armed suspects unless, in extreme circumstances, no other alternative strategy is feasible and a delay in the apprehension of the suspect would present a threat of death or serious physical injury to others;
- 3.1.2. If a suspect enters a building, structure, wooded area or otherwise isolated area and the member is not accompanied by a cover officer.
- 3.1.3. The member believes that the danger to the pursuing member or the public outweighs the necessity for immediate apprehension;
- 3.1.4. The member is disarmed;
- 3.1.5. The member loses contact with the Bureau of Emergency Communications (BOEC) and no other means of communication exists;
- 3.1.6. The member loses visual contact of the suspect(s) for more than a brief period of time (1-2 seconds);
- 3.1.7. The member is not familiar with and is unable to communicate the direction of travel or location sufficient enough for other members to assist;
- 3.1.8. The member is unsure of their location; or
- 3.1.9. When instructed to not engage or continue a foot pursuit by a supervisor.

## 4. Member Responsibilities When Engaging in Foot Pursuits.

4.1. Once a member initiates a foot pursuit, the pursuing member shall notify BOEC and broadcast the following information when it is safe to do so:

- 4.1.1. The suspect's direction of travel and description;
- 4.1.2. The reason for the pursuit; and
- 4.1.3. Any other information relevant to the safe and successful apprehension of the suspect.

4.2. Members shall document the reason for the pursuit in a Foot Pursuit Supplemental Report.

*Note: On November 9, 2021, the Bureau temporarily delayed the enactment of DIR 0630.15 and removed it from the PPB website to allow for additional internal review of the directive. The Bureau did not make any revisions to the directive during the brief internal review period. As a result, Chief Lovell re-signed the directive on December 15, 2021, and it will go into effect on January 14, 2022.*

5. Supervisor Responsibilities.

- 5.1. Respond to the location and continually manage the pursuit.
- 5.2. Ensure members use tactical apprehension strategies instead of a foot pursuit, if appropriate.
- 5.3. Ensure the appropriate amount of resources are allocated to the incident, balancing the severity of the crime and necessity for apprehension with available resources.
- 5.4. Terminate pursuits that are inconsistent with this policy.
- 5.5. Following each incident, debrief with the involved members and, if feasible, all members on their shifts.

6. Responsibility Unit (RU) Manager Responsibilities.

- 6.1. RU Managers shall require all supervisors to review and debrief foot pursuits with all involved members and, if feasible, all members on their shifts.

7. Training Responsibilities.

- 7.1. The Training Division will ensure recruit-members receive training in the Advanced Academy on foot pursuit policy and techniques.
  - 7.1.1. The Bureau will provide follow-up training, as needed, and offer debriefings, Tips and Techniques, roll call training, and in-service training.

8. Policy Exemption.

- 8.1. This policy does not apply to crowd management activities. Members shall refer to relevant training for guidance on foot pursuits during these events.

**History:**

- Last Revision Signed: 12/15/2021
  - Effective Date: 01/14/2022
- Next Review Date: 01/14/2024

## 0630.15, Foot Pursuits

### **Refer:**

- ORS 131.615, Stopping of ~~Persons~~persons
- ORS 153.039 Stop and detention for violation
- DIR ~~6000600~~.00, Use of Aircraft
- DIR ~~6300630~~.05, Vehicle Pursuits
- DIR ~~7200720~~.00, Special Emergency Response Team (SERT) and HNTCrisis Negotiation Team (CNT) Use
- DIR 1010.00, Use of Force

### **Definitions:**

- De-escalation: A deliberate attempt to prevent or reduce the amount of force necessary to resolve the confrontation.
- Foot pursuit: ~~A pursuit~~An attempt, by a member on foot, to end the flight of a suspect by closing the distance (proximity) on the suspect or using physical control.
- Tactical Apprehension Strategy: A plan, not including a foot pursuit, to safely monitor and, ultimately, apprehend a fleeing suspect.

### Policy: ~~by a~~

1. This policy establishes procedures for utilizing Tactical Apprehension Strategies and engaging in foot pursuits. The Portland Police Bureau authorizes only its sworn member(s) where visual contactmembers to engage in foot pursuits.

- ~~The Bureau acknowledges the inherent dangers that foot pursuits pose to Bureau and community members. Safety is maintained, and the suspect is readily capable of being apprehended by the pursuing sworn member(s).~~
  - ~~A paramount and will be members' primary consideration when determining whether to initiate or continue a foot pursuit should end when the sworn member(s) loses visual contact with the suspect for more than a brief period of time (1-2 seconds), and a. Accordingly, the Bureau prioritizes the use of tactical apprehension should begin.~~
  - ~~Sworn members can re-engage in a foot pursuit when he/she regains visual contact of the suspect and the suspect is readily capable of being apprehended.~~
  - ~~Tactical apprehension strategies for the search and apprehension of the suspect could be accomplished by:~~
    - ~~Sworn member follows and maintains constant visual contact while waiting for additional resources for apprehension.~~
    - ~~Perimeter search.~~
    - ~~Block search.~~
    - ~~Cover/contact search.~~
    - ~~K9 track.~~
    - ~~Air Support Unit.~~
    - ~~Activation of Special Emergency Reaction Team (SERT).~~

over foot pursuits because of their emphasis on de-escalation. However,

### Policy:

~~1. The Bureau has the Bureau also recognizes that its members have a duty and responsibility to pursue and attempt to apprehend offenders. Foot pursuits when appropriate. Members must be conducted conduct foot pursuits in such a way so as to minimize that minimizes the risks to sworn members and citizens.~~

### **Foot Pursuits in General:**

~~2. Foot pursuits are inherently dangerous police actions. It is the policy of the Bureau that the safety of sworn members and the public shall be the overriding consideration in determining whether a foot pursuit will be initiated or continued. Foot pursuits occur in a wide variety of circumstances. Therefore, this policy is intended as a general guideline for sworn Bureau and community members when deciding if such pursuits are warranted and how they should be conducted.~~

### **Procedure:**

1. Deciding Whether to Pursue:

~~1.1. A sworn member has Members have the authority to stop any person they reasonably suspected of having suspect has committed or is about to commit a crime, violation or traffic violation. While it is the sworn member who initiates the stop, it is the suspect who initiates the foot pursuit by fleeing. The decision.~~

~~1.1.1.2. If a suspect flees on foot, members should decide whether to pursue should be made with an awareness of the degree of risk to which the sworn member exposes himself/herself themselves and others.~~

~~1.3. A foot pursuit in and of itself does not constitute a use of force. If, during the course of a foot pursuit, a member uses force, the member must act in accordance with Directive 1010.00, Use of Force, with regard to their application and reporting of force.~~

~~1.2.1.4. No sworn member of the Bureau shall be criticized criticize or retaliate against another member for deciding against initiating not to initiate, discontinuing his/her their involvement in, or terminating a foot pursuit.~~

~~1.3. Foot pursuits and tactical apprehensions present certain inherent risks, yet both are an important law enforcement tool. The principles outlined below should be considered when initiating, continuing or terminating a foot pursuit or tactical apprehension.~~

2. Factors to Consider When Initiating/Continuing a Foot Pursuit:

~~2.1. Whether the suspect is believed to be or known to be armed.~~

2.2. Suspect's behaviors:

~~2.2.1. Looking back may be an indication the suspect is targeting or "sizing up" a pursuing sworn member.~~

~~2.2.2. Change in stride or pace or efforts to draw a sworn member in or allow a sworn member to close may indicate the suspect is preparing for an attack.~~

~~2.2.3. Hand and shoulder movement is an indicator the suspect may be reaching into the waistband or other threat areas.~~

~~2.2.4. Holding an area of clothing to keep a weapon from falling out.~~

2.3. Conditions:

2.3.1. Locations:

~~2.3.1.1. Residential.~~

~~2.3.1.2. Commercial.~~

~~2.3.1.3. Roadways.~~

~~2.3.1.4. Schools.~~

~~2.3.1.5. Wooded or isolated areas.~~

~~2.3.2. Environmental factors: Weather or darkness.~~

~~2.3.3. Communications.~~

~~2.3.4. Availability and proximity of cover units.~~

~~2.4. Sworn member's characteristics:~~

~~2.4.1. Physical conditioning and abilities.~~

~~2.4.2. Familiarity with the area.~~

~~3. Sworn Member Responsibilities:~~

~~3.1. Once the foot pursuit has been initiated, the pursuing sworn member should notify the Bureau of Emergency Communications (BOEC) and attempt to broadcast the following information:~~

~~3.1.1. The suspect's direction of travel.~~

~~3.1.2. Whether the suspect is armed, if known.~~

~~3.1.3. Number of fleeing suspects.~~

~~3.1.4. The reason for the pursuit.~~

~~3.1.5. If known, the identification of the suspect, or a physical description.~~

~~3.2. Generally, the pursuing sworn member should not attempt to overtake the fleeing suspect but keep the suspect in sight until sufficient cover is available to take him/her into custody. The following are techniques to consider:~~

~~2. Tactical Apprehension Strategies.~~

~~2.1. Tactical apprehension strategies are not foot pursuits. Examples of tactical apprehension strategies include, but are not limited to:~~

~~3.2.1.2.1.1. Following and maintaining a safe distance.~~

~~3.2.2.2.1.2. Paralleling the suspect.~~

~~3.2.3. Cover/contact pursuits (two (2) sworn members).~~

~~3.2.4.2.1.3. Following a different route than the suspect (e.g., wide corners).~~

~~3.2.5.2.1.4. Using available cover (e.g., parked cars).~~

~~3.3. The primary sworn member should attempt to immediately coordinate with secondary sworn members to establish a perimeter in the area to contain the suspect. Secondary sworn members may assist with the coordination if the primary sworn member is unable to do so.~~

~~3.4. Complete all applicable reports needed to document the incident.~~

~~2.1.5. Establishing a perimeter and conducting a block search or K9 track.~~

~~2.1.6. Obtaining assistance from Air Support Unit or SERT.~~

Members are required to employ

~~4. Foot Pursuit Restrictions:~~

~~2.2. The pursuing sworn member, if appropriate, will attempt tactical apprehension strategies. Sworn members will not engage in or continue in instead of initiating a foot pursuit, unless there is an articulable reason why a foot pursuit would be safer for the member or the general public.~~

~~3. Foot Pursuit Restrictions when instructed not to by a supervisor. Sworn members should.~~

~~4.1.3.1. Members shall not engage in or continue foot pursuits in the following circumstances:~~

- ~~4.1.1.3.1.1.~~ Armed suspects unless, in extreme circumstances, no other alternative strategy is feasible and a delay in the apprehension of the suspect would present a threat of death or serious physical injury to others;
- ~~4.1.2.3.1.2.~~ In the event that ~~If~~ a suspect enters a building, structure, wooded area or otherwise isolated area ~~sworn members, unless in extreme circumstances, will and the member is not pursue suspects into these areas without sufficient~~ accompanied by a cover present officer.
- ~~4.1.3.3.1.3.~~ If the sworn ~~The~~ member believes that the danger to the pursuing ~~sworn~~ member or the public outweighs the necessity for immediate apprehension;
- ~~4.1.4.3.1.4.~~ If the sworn ~~The~~ member is disarmed;
- ~~4.1.5.3.1.5.~~ If the sworn ~~The~~ member loses contact with the Bureau of Emergency Communications (BOEC) and no other means of communication exists;
- ~~4.1.6.3.1.6.~~ If the sworn ~~The~~ member loses visual contact of the suspect(s) for more than a brief period of time (1-2 seconds);
- ~~4.1.7.3.1.7.~~ The sworn ~~member~~ is not familiar with and is unable to communicate the direction of travel or location sufficient enough for other ~~sworn~~ members to assist;
- ~~4.1.8.3.1.8.~~ The sworn ~~member~~ is unsure of ~~his/her~~ their location; or
- ~~4.1.9.3.1.9.~~ If ~~When~~ instructed to ~~do so~~ not engage or continue a foot pursuit by a supervisor.

#### 4. Member Responsibilities When Engaging in Foot Pursuits.

4.1. Once a member initiates a foot pursuit, the pursuing member shall notify BOEC and broadcast the following information when it is safe to do so:

- 4.1.1. The suspect's direction of travel and description;
- 4.1.2. The reason for the pursuit; and
- 4.1.3. Any other information relevant to the safe and successful apprehension of the suspect.

4.2. Members shall document the reason for the pursuit in a Foot Pursuit Supplemental Report.

#### 5. Supervisor Responsibilities:

- 5.1. Respond to the location and continually manage the pursuit.
- ~~5.2. Ensure the perimeter is set up appropriately.~~
- ~~5.3.5.2.~~ Consider the ~~members use~~ tactical apprehension strategies instead of a foot pursuit, if appropriate.
- 5.3. Ensure the appropriate amount of resources are allocated to the incident, balancing the severity of the crime and necessity for apprehension with available resources.
- 5.4. Terminate pursuits that are ~~not in compliance~~ inconsistent with this policy.
- 5.5. Following each incident, debrief with the ~~sworn members~~ involved members and, if feasible, ~~his/her~~ all members on their shifts.

#### 6. Responsibility Unit (RU) Manager Responsibilities.

6.1. RU Managers shall require all supervisors to review and debrief foot pursuits with all involved members and, if feasible, all members on their shifts.

#### ~~6.7.~~ Training Responsibilities:

7.1. The Training Division will ensure recruit ~~sworn~~ members receive training in the Advanced Academy on foot pursuit policy and techniques. ~~Follow~~

~~6.1.1.7.1.1.~~ The Bureau will provide follow-up training ~~will occur~~, as needed, and ~~delivered by~~offer debriefings, Tips and Techniques, roll call training, and in-service training.

~~7. Responsibility Unit Manager Responsibilities:~~

~~7.1. Responsibility Unit Manager will require all supervisors to review and debrief foot pursuits with all sworn members involved and, if feasible, his/her shifts.~~

~~8. Policy Exemption.~~

~~8.1. This policy does not apply to crowd management activities. Members shall refer to relevant training for guidance on foot pursuits during these events.~~

# #1

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, May 01, 2020 9:27:27 AM  
**Last Modified:** Friday, May 01, 2020 9:31:13 AM  
**Time Spent:** 00:03:45  
**IP Address:** 74.120.152.116

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Page 1

## Q1

Please provide feedback for this directive

Reading this I get the impression that an officer will not be able to stop the suspect unless you have some relay team of other officers somehow . I am unsure if the policies are created by anyone in a real world scenario or who has ever been in a foot pursuit.

---

## Q2

Respondent skipped this question

Contact Information (optional)

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## #2

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, May 01, 2020 4:49:37 PM  
**Last Modified:** Friday, May 01, 2020 4:53:41 PM  
**Time Spent:** 00:04:03  
**IP Address:** 74.120.152.116

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Page 1

### Q1

Please provide feedback for this directive

Eliminate gender-use sworn member, their, fleeing suspect.  
Told not to do so by supervisor is repeated in when not to engage in foot pursuit.

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### Q2

Contact Information (optional)

Name	<b>Jeff Nelson</b>
Email Address	<b>jeffrey.nelson@portlandoregon.gov</b>
Phone Number	<b>5037933928</b>

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## #3

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Saturday, May 02, 2020 5:29:45 PM  
**Last Modified:** Saturday, May 02, 2020 5:53:05 PM  
**Time Spent:** 00:23:20  
**IP Address:** 74.120.152.144

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Page 1

**Q1**

Please provide feedback for this directive

Under Sworn Member Responsibilities, subsection a., should include language regarding the feasibility of this notification. For example, "Once the foot pursuit has been initiated, the pursuing member, when feasible and if time allows, should notify BOEC..." There are some situations in which a foot pursuit begins and is over before this information can be broadcast. Additionally, given these are dynamic and rapidly changing events, it may not always be possible to make this notification immediately.

Regarding notifications to BOEC, there are also situations where ample cover is present and members are working on closed radio channel (i.e, undercover mission), already coordinating with one another. In these cases, the foot pursuit should be allowed to continue without BOEC notification as long as communications with the coordinating units is maintained and the event is not prolonged.

Subsection c., the word "immediately" should be removed and replaced with "when feasible", or "when time and circumstances permit". Again, given the dynamics of these events, it is not always possible to immediately coordinate with others.

Although foot pursuits should not be continued if visual contact is lost for more than a brief period of time, there should be a subsection stating that members may reengage in the pursuit if visual contact is reestablished and it is safe to do so. There are circumstances in which visual contact is lost, the officer discontinues the pursuit, yet, due to terrain or other factors, the fleeing subject is seen again.

---

**Q2**

Contact Information (optional)

Name	<b>Brent Maxey</b>
Email Address	<b>brent.maxey@portlandoregon.gov</b>
Phone Number	<b>503 545 3420</b>

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## #4

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 05, 2020 5:29:09 PM  
**Last Modified:** Tuesday, May 05, 2020 5:32:12 PM  
**Time Spent:** 00:03:02  
**IP Address:** 74.120.152.120

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Page 1

### Q1

Please provide feedback for this directive

"Sworn Member Responsibilities (630.15)

a. Once the foot pursuit has been initiated, the pursuing sworn member should notify BOEC and attempt to broadcast the following information:"

I believe it would help to add in language similar to "as soon as feasible" or "when safe to do so" somewhere to this statement. From my experience I had actually tried to call out a foot pursuit, but someone was speaking on the air and I was unable to get to get the info out immediately.

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### Q2

**Respondent skipped this question**

Contact Information (optional)

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#5

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Monday, May 11, 2020 7:01:31 PM  
**Last Modified:** Monday, May 11, 2020 7:17:20 PM  
**Time Spent:** 00:15:49  
**IP Address:** 74.120.152.143

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Page 1

**Q1**

Please provide feedback for this directive

"b. Generally, the pursuing sworn member should not attempt to overtake the fleeing suspect but keep the suspect in sight until sufficient cover is available to take him/her into custody."

My critique of this policy is based on this section b. I do not believe we should use the term "generally" when stating we "should not attempt to overtake the fleeing suspect".

I am a Patrol Procedures instructor and Control Tactics instructor, and I have been in numerous foot pursuits. I know from training and experience that early intervention is often times the only opportunity we have to capture fleeing subjects before they have time to develop a plan to further avoid capture. By intervening immediately we can prevent suspects from committing other crimes to avoid later capture.

During a foot pursuit we often only have a limited amount of energy and endurance that will allow us to close the distance and make an immediate capture. If we are forced to slow down and wait for cover, which can be extremely inconsistent, we put ourselves in a position to lose a suspect all together.

Officers also have a wide array of physical abilities that may prevent them from being able to effectively join in on a foot pursuit whether they are present or not.

Foot pursuits are rapidly evolving situations that cannot be covered in a blanket statement such as "generally" when condemning a certain practice. Although I agree that these factors need to be taken into consideration when involved in a foot pursuit, it should be left to the individual officer to decide whether they have the skills and abilities to have a successful result.

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**Q2**

Contact Information (optional)

Name	<b>Craig Lehman</b>
Email Address	<b>Craig.Lehman@portlandoregon.gov</b>
Phone Number	<b>503-318-3705</b>

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#6

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, May 13, 2020 6:48:37 PM  
**Last Modified:** Wednesday, May 13, 2020 6:57:29 PM  
**Time Spent:** 00:08:52  
**IP Address:** 74.120.152.119

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**Q1**

Please provide feedback for this directive

The timeframe written in the current iteration of the pursuit policy for how long an officer losing sight of a fleeing subject is very short. While it is dangerous losing sight of a fleeing subject, there should be a provision, or addition that allows for a member in foot pursuit to continue, or re-engage, the pursuit if they are able to see the fleeing subject again. For example, if the officer loses sight of a subject after they jump a fence. The officer has technically lost sight of them, but if the officer looks over the fence and sees the subject still fleeing, the officer should be able to re-engage the foot pursuit, even if the lost visual time is greater than 1-2 seconds.

---

**Q2**

Contact Information (optional)

Name	<b>Ryan Brown</b>
Email Address	<b>ryan.brown@portlandoregon.gov</b>
Phone Number	<b>503-312-7528</b>

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# #7

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Sunday, May 17, 2020 12:39:33 AM  
**Last Modified:** Sunday, May 17, 2020 12:40:01 AM  
**Time Spent:** 00:00:28  
**IP Address:** 74.120.152.145

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Page 1

## Q1

Please provide feedback for this directive

Sworn Member Responsibilities (630.15)

B. In this section, I do not believe it is always reasonable to have to wait for cover to arrive before taking someone who is running away into custody. Each Officer is different, but you may not be able to chase a suspect long enough to wait until cover can assist.

Foot Pursuit Restrictions (630.15)

Bullet point #7 and #8 are redundant, should either be combined or #8 should be eliminated.

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## Q2

Respondent skipped this question

Contact Information (optional)

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#8

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Monday, May 18, 2020 11:07:56 AM  
**Last Modified:** Monday, May 18, 2020 11:21:55 AM  
**Time Spent:** 00:13:58  
**IP Address:** 65.158.187.226

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Page 1

**Q1**

Please provide feedback for this directive

0630.15 Foot Pursuits

Deciding Whether to Pursue (630.15)

Since this type of action is voluntary by the officer, it should be in the policy the procedure they need to take if they do NOT decide to do a foot pursuit. I do not see a directive for how the proceed if they decide to not do a foot pursuit. This policy seems to lean towards all officers making 'yes' decision to do a foot pursuit, which sways the policy of the officers being able to make a choice. It should be acceptable and there should be a policy to follow if an officer decides not to foot pursuit.

Factors to Consider When Initiating/Continuing a Foot Pursuit (630.15)

There should be a decision tree available for each of the environments/scenerios available to the officers in training

Sworn Member Responsibilities (630.15)

a. Once the foot pursuit has been initiated, the pursuing sworn member should notify BOEC and attempt to broadcast the following information:

my issue here is that the first option a is listed directly after Deciding Whether to Pursue (630.15) but there is not an item in the directive for "IF the foot pursuit has NOT been initiated"

this leaves the officers with no policy. that is why they should have a decision tree to help make the decision and also a policy if they do not decide on a foot pursuit. Which then gives the officer a clear option for deciding no. Policy should not lean towards promoting foot pursuits. If you do not give a written decision tree or policy of NO is decided, you are promoting a YES to foot pursuits 'state of mentality' for your officers. This puts them at risk of their safety without providing a clear policy for a NO decision.

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**Q2****Respondent skipped this question**

Contact Information (optional)

#9

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 19, 2020 4:58:16 PM  
**Last Modified:** Tuesday, May 19, 2020 5:07:01 PM  
**Time Spent:** 00:08:45  
**IP Address:** 74.120.152.118

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**Q1**

Please provide feedback for this directive

After reviewing the policy for a Foot Pursuit and a couple areas of concern. First, that we should immediately notify BOEC and coordinate with secondary units. Foot Pursuits is a rapidly evolving event and taking time to coordinate fellow units is important but should not be mandated as immediately. I believe it should read to make notifications and coordination's when it is safe to do so. My second concern is that police can no longer engage in a foot pursuit once visual is lost. I believe that if visual is regained and the officer does not see a change in the suspect such as did not pull out a weapon the officer can reengage.

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**Q2**

Respondent skipped this question

Contact Information (optional)

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# #10

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, May 21, 2020 2:45:46 PM  
**Last Modified:** Thursday, May 21, 2020 2:46:48 PM  
**Time Spent:** 00:01:02  
**IP Address:** 97.120.236.136

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## Q1

Please provide feedback for this directive

### COMMENTS ON FOOT PURSUIT DIRECTIVE, MAY 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 our comments on the Foot Pursuit Directive posted for review in May at ), mostly based on the comments we made in October, 2015. Since the proposed changes to the format of this Directive were never made, Portland Copwatch (PCW) thinks this is a good time for the Bureau to follow our repeated advice to add letters to each major section (Refer, Definitions, Policy, Procedure) and to number the definitions for easy reference.

### 630.15 FOOT PURSUITS

Before we get to the specific comments about the Foot Pursuit policy, it is important to add some context. In July, 1997, Officer Thomas Jeffries engaged in a foot pursuit of a suspect who was in an enclosed yard. Not having backup and having lost sight of the suspect, Jeffries was shot and killed. The PPB seems to recognize the inherent risks of foot pursuits, yet we saw officers continue to engage in questionable or explicit violations of the policy in the years following.

--Officers chased after Marcello Vaida in 2005, leading to Vaida being shot and wounded.

--Officers chased and tackled James Chasse, Jr. in 2006, leading to Chasse's death in custody.

--Then-Officer Anthony Passadore chased after and shot Scott Suran in 2007, wounding the man. The OIR Group's review of this case in 2013 led them to caution the Bureau that by initiating foot pursuits, officers increase the likelihood of using force/deadly force. They called out Passadore for running while armed with a rifle.

--An officer was recommended for termination in 2013 for endangering other officers during a foot pursuit, according to the January 2014 Police Review Board report.

--OIR Group found that Officer Samson Ajir likely violated the policy when he chased Terrell Johnson from a Max station, tripped, fell, then shot and killed Johnson in 2017.

--In July 2018, the Compliance Officer/Community Liaison published a table showing it is 1.4 times more likely a person will be subjected to a high level use of force if police engage in a foot pursuit.

--In 2019, the Police Review Board found an officer violated the foot pursuit policy (but not the Force Directive) when he (or she) chased a man from a traffic stop, leading to the man being punched repeatedly by officers. The Board noted that the justification for foot pursuits is more narrowly defined in the Directive than it is by the Training Division, and that the Directive should more clearly explain what constitutes a violation of policy. It may be this case which triggered the current (and long overdue) review.

Here are the comments we made in October 2015 which are still relevant today.

--The Directive should prohibit officers from engaging in a foot chase if they are carrying a long gun (shotgun or rifle).

--The Definition of foot pursuit goes on for nearly half a page, mostly describing policy issues.

--"Factors to Consider When Initiating/Continuing a Foot Pursuit" subsection (a) says that an officer's decision to chase should in part be based on whether the suspect is "believed to be" armed;. Since that subjective criterion can be invoked retroactively to justify a pursuit, there probably needs to be a higher threshold.

## 630.15 Directive Feedback

--Behaviors that might justify pursuing a suspect listed in subsection (b) of that part of the Directive include potentially benign actions such as (1) looking back at the police, (3) moving one's hands and shoulders as if to reach for a waistband and (4) holding one's clothing "to keep a weapon in." While officer safety is important, it's also a natural instinct to look back at a person chasing you, and to adjust clothing that may move about during strenuous movement, and community members should not lose their lives for taking such actions.

--Rather than saying the officer "should notify" dispatch upon starting a pursuit ("Sworn Member Responsibilities subsection [a]), the Directive should make radio contact mandatory. This was a recommendation from the OIR Group in 2013.

We also support the proposed recommendations drafted by the Community Oversight Advisory Board's Data Systems, Use of Force and Compliance Subcommittee, which:

---suggest the Directive should outline how foot pursuits can lead to excessive/deadly force as a warning to officers;

---advise banning solo foot pursuits and ending pursuits when officers lose sight of one another; and

---give guidance for ending pursuits if the suspect can be caught later and if the suspected crime is minor.

### CONCLUSION

It should be clear to the Bureau from the history we have included that the recommendations we have put forth are important and will improve safety both for officers and community members.

As a side note, on May 6, we alerted the Directives review staff that this policy had been posted online but, as is becoming more common, was not included in the automated email sent out on May 1. Staff emailed us on May 14 to let us know the deadline was being extended to May 22, giving us just 8 days at that point to write, review and finalize this analysis. We continue to urge that the Bureau sign up for the automated emails themselves to be sure all posted Directives are pushed out properly. We also strongly disagree with the staff's suggestion that interested parties should go to the website to see what items are listed. After all that is the entire purpose of having an email alerts system, to avoid making dozens of people have to remember to check a website.

Thank you for the opportunity to comment  
dan handelman and other members of  
portland copwatch

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## Q2

### Contact Information (optional)

Name

**Portland Copwatch**

Email Address

**copwatch@portlandcopwatch.org**

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# #1

**COMPLETE**

**Collector:** Survey Link 1 (Web Link)  
**Started:** Tuesday, March 02, 2021 10:25:34 AM  
**Last Modified:** Tuesday, March 02, 2021 10:27:01 AM  
**Time Spent:** 00:01:27

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Page 1

## Q1

Please provide feedback for this directive

I like it. It's basic and appears to be solid. Would be interesting to know and see what PPB's actual training is with pursuits. I assume they are teaching everything in this policy, but how often do they get it?

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## Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

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## #2

**COMPLETE**

**Collector:** Survey Link 1 (Web Link)  
**Started:** Tuesday, March 02, 2021 11:26:39 AM  
**Last Modified:** Tuesday, March 02, 2021 11:52:47 AM  
**Time Spent:** 00:26:07

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Page 1

### Q1

Please provide feedback for this directive

2.2. Members are required to employ tactical apprehension strategies instead of initiating a foot pursuit, unless there is an articulable reason why a foot pursuit would be safer for the member or the general public.

I see the word "safer" as a gray area that only allows us to pursue on foot under distinct and unique circumstances that may be hard to articulate. When a subject decides to run, which will happen often if we do not pursue them, we should be allowed to apprehend the suspect if we are able to do so, even for lessor crimes. I realize that this needs to be done in a "safe" manner for the public and Officer, but requiring us to explain why this was "safer" will prove to be difficult, thus eliminating most pursuits altogether.

I believe Officers will have to justify actions that are inherently part of Police work, and be further restricted in our ability to enforce laws and arrest suspects.

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### Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

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#3

COMPLETE

**Collector:** Survey Link 1 (Web Link)  
**Started:** Saturday, March 13, 2021 8:37:02 PM  
**Last Modified:** Saturday, March 13, 2021 8:37:35 PM  
**Time Spent:** 00:00:33

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Page 1

## Q1

Please provide feedback for this directive

### COMMENTS ON FOOT PURSUIT AND DRUG USE DIRECTIVES, MARCH 2021

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

Below are comments from Portland Copwatch (PCW) on the Foot Pursuits (630.15) and "Drug, Alcohol and Tobacco Free Workplace" (316.00) Directives posted in for comment at (<https://www.portlandoregon.gov/police/73677>). We are choosing not to comment on the Property/Evidence (660.10), Return to Work (415.00) or Injuries (410.00) Directives. By our count, we have commented on 121 Directives, some multiple times, and chose not to comment on 36.

Our comments are made as though the proposed changes are intended to move forward, but recognize that when we say "the PPB changed" certain clauses, we're referring to the draft.

To make these drafts, these two Directives were both converted from pre-2014 format, which would have been a good time for the PPB to adopt our ongoing suggestion to label each major section of the Directives with a letter so there aren't multiple subsections with the same numbers. Since they are still under review, there is still time. The references below are to Procedure Section unless otherwise noted.

#### DIRECTIVE 630.15 Foot Pursuits

It is interesting to read this policy in the context of the most recent Police Review Board report, in which one officer was found out of policy for failing to conduct a foot pursuit of an individual walking at a "brisk pace." That particular case does not reflect some of the more dangerous decisions we outlined in our May 2020 comments in which foot chases led to the use of force or deadly force.

While there are some good changes, we repeat our strong recommendation to contextualize this policy in two ways. First, include the information the COCL put out in 2018 showing that a person is 1.4 times more likely to be subjected to a high level of force after a foot chase. Second, mention the deadly force incidents from Portland's past.

We are extremely concerned about new Section 8.1 which says the foot pursuit policy does not apply to crowd control. The events of last summer showed that officers conducting foot pursuits at protests were prone to use force. Since the word "force" is only used in the definition of de-escalation, there should be more emphasis on what happens if the officer catches up to the suspect. There's only reference to the "safe and successful apprehension" of the community member (Section 4.1.3).

The rewritten Policy section de-emphasizes the Bureau's "duty and responsibility to attempt to apprehend offenders" by moving that concept from the first line of the policy to the third line of Policy Section 2, and adding the important modifier "when appropriate." The focus is more on "tactical apprehension strategies" (Policy 2, Procedure 2) and balancing the safety risks of the pursuit (Policy 2 and Procedure 1.2, for example).

We also appreciate that the PPB changed the suggestion that an officer "should" notify dispatch about engaging in a foot pursuit to a required "shall" (Procedure Section 4.1), as PCW suggested. It's not clear why there is no longer a requirement to broadcast whether the subject is actually armed; our proposal was to not allow an officer to subjectively "believe" a weapon is involved. It will benefit all parties to report if an officer is choosing to chase someone who is visibly armed. Instead the reporting requirement only calls for officers to relay "any other relevant information" (Section 4.1.3).

It also makes sense to separate the thresholds of suspicion of a crime from those for violations, though the Directive refers to "reasonably suspecting" a crime (rather than the legal term "probable cause") and the appropriate reasonable belief threshold for violations (Section 1.1). That said, the Directive does not give clear enough guidance on why it might ever be reasonable to conduct a foot chase for a low-level violation, which could give officers the impression that the severity of the crime should not play into their

## 0630.15 Directive Feedback (2UR)

decision. Only the Supervisor is called on to assess the severity of the crime (Section 5.3).

The Bureau wisely cut the prejudicial statement "While it is the sworn member who initiates the stop, it is the suspect who initiates the foot pursuit by fleeing." Another good deletion is the exception for entering isolated areas without backup (Section 3.1.2, in its previous iteration, allowed such poor tactics "in extreme circumstances").

While it may seem as if PCW is more complimentary of the Bureau than usual, that does not take away from the fact that there is still no prohibition on officers engaging in a foot pursuit while carrying a rifle or shotgun, our first recommendation in May 2020. There should also be reminders that if the suspect is not posing an immediate danger and is known to the officer/Bureau, the immediacy of needing to apprehend that person is low. (This reflects a recommendation made by the COAB years ago.)

### CONCLUSION

We would still like to see more public discussions by the Bureau regarding their decision-making process for creating and changing Directives. Portland Copwatch was among those who have expressed concern that the Portland Police Association has negotiated to be given the "final draft" of any policy, meaning they get to comment after the public has already been shut out of the process. We would like to see them, and officers of all ranks, engage in the same discussion on the policies as the rest of the community, hence the buzz-phrase "community-engaged policing." We mentioned this in the comments on the previous Directive but repeat it here because of the serious trust issues that go along with giving special rights to police.

Thank you for the opportunity to comment  
--dan handelman (and other members of)  
--Portland Copwatch

---

### Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Portland Copwatch (copwatch@portlandcopwatch.org)**

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