

*Please Note: This is a working draft of Directive 0010.00. The PPB has not implemented any portion of this draft. Submit your comments using the “Provide Feedback Here” link located at the end of the directive.

A redline copy of the updated directive is included in this attachment.

0010.00, Directives Review and Development Process ***Second Universal Review Period: 8/1/2022 – 8/31/2022***

Refer:

- United States v. City of Portland Settlement Agreement
- City of Portland Public Involvement Principles
- DIR 0020.00, Mission, Values, and Goals
- DIR 0315.00, Laws, Rules, and Orders

Definitions:

- Directive: A Portland Police Bureau document that addresses rules, policy, and procedure for a specific topic.
- Executive Order: A document from the Chief’s Office unilaterally establishing a new rule, policy, or procedure, or modifying an existing one.
- Executive Reconciliation: The Bureau’s process of internally reviewing and developing directives through research, drafting, consulting subject matter experts, considering public comments, and collaborating with community and internal stakeholders.
- Executive Summary: A document outlining the Bureau’s review and development of a particular directive. The Executive Summary contains: 1) a brief statement explaining key points or changes to the directive, 2) the final approved directive, 3) a document comparison showing changes between the old and new directive (when applicable), and 4) all public comments received during Universal Review and Public Comment periods.
- Policy: A statement of the Bureau’s philosophy or approach on a particular matter, designed to offer broad general guidance and information for Bureau members and the community.
- Procedure: Specific guidance on an operational practice that explains the steps members take, including details such as timing, frequency, and responsibilities.
- Rules: Specific direction members are required to follow when faced with certain situations.
- Universal Review and Public Comment (“Universal Review”): The Bureau’s practice of regularly seeking community and Bureau member review and feedback on Bureau directives during two scheduled 30-day review periods:
 - First Universal Review: Seeks feedback on 1) existing Bureau directives, or 2) the first public draft of a new directive.
 - Second Universal Review: Seeks feedback on 1) potential changes to existing Bureau directives, or 2) the second public draft of a new directive.

Policy:

1. The purpose of this directive is to establish the process for reviewing and developing Portland Police Bureau directives.

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2. The Portland Police Bureau recognizes that training and adherence to Bureau policies, procedures, and rules are essential to Bureau legitimacy and maintaining professional standards of conduct. The Bureau’s written directive system houses Bureau policies, procedures and rules. The Bureau is responsible for guiding member action and holding members accountable to Bureau directives in furtherance of professionalism and legitimacy.
3. The Bureau strives to establish directives that promote best practices and guide members to be good stewards of public resources. Bureau directives are the foundation for all Portland Police Bureau operations. The policies, procedures, and rules contained in directives provide members with information to act decisively, consistently, and legally. When unusual circumstances are encountered, the directives assist members in identifying the best course of action.
4. The Bureau values the input of community members, Bureau members, and our working partners. Collaboration and community involvement are essential to ensuring that Bureau policies and procedures reflect the values of the community we serve. For this reason, the Bureau encourages community members, Bureau members, and other key stakeholders to participate in the directive development process by contributing feedback on directives when they are scheduled for review.

Procedure:

1. Initiating Directive Review and Development.
 - 1.1. Anyone can contact the Policy Development Team to ask the Bureau to create a new directive or to revise or rescind an existing directive.
 - 1.2. The Bureau determines directive review and development priorities based on operational, administrative, and/or legal need.
 - 1.2.1. Matters that may create a need to address a directive include, but are not limited to: changes in best practice, staffing concerns, budget, a shift in organizational philosophy, audit or research findings, complaints or discipline outcomes, contract negotiations, changes in law, or litigation.
 - 1.3. The Bureau shall attempt to review existing directives every two years from the time of enactment.
 - 1.4. The Chief or designee may adjust the review schedule of a directive based on operational, administrative, or legal need.
 - 1.5. New directives shall undergo a one-year review from the time of enactment. Upon completion of the year one review, the Bureau shall adjust the review period to align with the standard two-year review schedule.

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2. Department of Justice (DOJ) Directives
 - 2.1. The Bureau shall review directives pertaining to DOJ Settlement Agreement compliance, using the standard Universal Review and Public Comment (“Universal Review”) process as established in this directive.
 - 2.1.1. The Bureau shall review new directives pertaining to DOJ Settlement Agreement compliance 180 days after the directive is enacted, and annually thereafter.
 - 2.2. Members and the community should be aware that directives pertaining to DOJ Settlement Agreement compliance involve additional review and approval by the DOJ, which may potentially lead to a lengthier review and development process.
3. Universal Review and Public Comment.
 - 3.1. The Policy Development Team shall post directives on the Bureau’s website for 30 calendar days for each First Universal Review and Second Universal Review period.
 - 3.2. The Bureau shall attempt to post directives for review on the first and/or fifteenth of the month. However, operational need may require posting outside of those dates.
 - 3.3. Anyone may submit feedback by using the form provided on the Bureau’s website during Universal Review, or by email at any time.
 - 3.4. Comments received outside of Universal Review shall be maintained by the Policy Development Team until the next review period for the directive.
4. Policy Development Team Responsibilities.
 - 4.1. The Policy Development Team shall read and consider all comments received during Universal Review and refer comments to the Chief’s Office as needed for review and/or decision-making.
 - 4.2. The Policy Development Team shall consult subject matter experts (SMEs) and the City Attorney’s Office to ensure that directives are accurate, clearly written, consistent with professional practices, and that they satisfy legal requirements.
 - 4.3. The Policy Development Team may make revisions following Second Universal Review without further public comment.
5. Collective Bargaining Unit (“Union”) Review.
 - 5.1. Unions have an opportunity to review revised and new directives before enactment to consider any potential labor-related issues and exercise bargaining rights.
 - 5.1.1. The Policy Development Team shall provide all recognized member unions with proposed new and revised directives for a 15 business-day review period.

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- 5.2. When Union Review ends, the Policy Development Team shall compile all union comments and consult with the City Attorney’s Office to address any union comments and/or concerns that resulted from the review process.
6. Chief’s Office Review.
 - 6.1. The Chief’s Office shall review the final draft of all directives to ensure the directive is reasonable, aligns with the Bureau’s philosophy, comports with applicable legal requirements, and meets best practice standards and operational needs.
 - 6.1.1. The Chief and the Police Commissioner have complete discretion regarding the content and implementation of Bureau directives and may either approve the proposed directive, or refer it back to the Policy Development Team for further executive reconciliation.
7. Executive Summary.
 - 7.1. After the Chief or designee signs and approves a directive, the Policy Development Team shall ensure the directive is sent to all members and shall post the executive summary to the Bureau’s website.
 - 7.2. To give the community notice of upcoming changes to directives, the Bureau posts executive summaries to its website as “Directives Pending Enactment.” Once a directive is enacted, the executive summary can be found on the Bureau website under “Executive Summary Archives.”
8. Member Acknowledgment.
 - 8.1. The Policy Development Team shall internally announce (via email) new or revised directive(s) to members before enactment.
 - 8.1.1. Pursuant to Directive 0315.00, Laws, Rules and Orders, members shall be required to electronically sign a statement acknowledging that they have received, read, and had an opportunity to ask questions about the directives within 30 calendar days of the Chief’s or designee’s signature and before enactment.
9. Enactment.
 - 9.1. Directives approved by the Chief, or a designee, shall be effective at midnight exactly 30 days from the signature date to allow sufficient time for members to read and acknowledge the updated or new directive.
 - 9.1.1. The effective date shall be included at the bottom of each directive.
 - 9.1.2. Enactment dates and reconciliation processes may be altered, depending on judicial orders or the interests of opposing parties in litigation or settlements.
 - 9.2. The Chief or designee shall have the authority to adjust the effective date of a directive (i.e., fewer than 30 days) if an operational need requires immediate enactment or when otherwise deemed necessary.
10. Publication.

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- 10.1. At the end of the 30-day member acknowledgement period, or when the Chief or designee has determined that immediate enactment is necessary, the Policy Development Team shall publish the enacted directive on the Bureau’s website.
 - 10.2. The Policy Development Team shall maintain a record of all current and previous versions of Bureau directives.
11. Executive Orders.
- 11.1. The Chief or designee can unilaterally temporarily suspend part or all of a directive, or create a new directive, if an operational, administrative, or legal need requires immediate action.
 - 11.2. In these circumstances, the Chief or designee shall issue an Executive Order Bureau-wide. The Executive Order shall note the date the Executive Order expires, when applicable.
 - 11.3. If the Chief intends for an Executive Order to become permanent, the Bureau shall include proposed changes reflecting the Executive Order during the next scheduled Universal Review.

Provide feedback [here](#).

0010.00, Directives Review and Development Process

Refer:

- United States v. City of Portland Settlement Agreement
- City of Portland Public Involvement Principles
- DIR ~~0200020~~.00, Mission, Values, and Goals
- DIR ~~3150315~~.00, Laws, Rules, and Orders

Definitions:

- Directive: ~~-A Portland Police Bureau official document that addresses both the rules, policy, and procedural sections procedure~~ for a specific topic.
- Executive Order: A document from the Chief's Office unilaterally establishing a new rule, policy, or procedure, or modifying an existing one.
- ~~Executive Reconciliation: A step in the review process that consists of internal meetings, facilitated by the The Bureau's Policy Development Team, to discuss universal comments, meet with process of internally reviewing and developing directives through research, drafting, consulting subject matter experts and draft new or revised policies.~~
- ~~Policy: A course or line of action adopted, considering public comments, and pursued by the Portland Police Bureau that provides guidance on the Bureau's philosophy on identified issues, collaborating with community and internal stakeholders.~~
- Executive Summary: A document outlining the Bureau's review and development of a particular directive. The Executive Summary contains: 1) a brief statement explaining key points or changes to the directive, 2) the final approved directive, 3) a document comparison showing changes between the old and new directive (when applicable), and 4) all public comments received during Universal Review and Public Comment periods.
- Policy: A statement of the Bureau's philosophy or approach on a particular matter, designed to offer broad general guidance and information for Bureau members and the community.
- ~~Procedure: A detailed description of how a directive is carried out in~~ Specific guidance on an operational practice, describing that explains the steps to be taken, the members take, including details such as timing, frequency of the task, and the persons responsible for completing the tasks, and responsibilities.
- Rules: Specific direction members are required to follow when faced with certain situations.
- Universal Review and Public Comment ("Universal Review"): The Bureau's practice of regularly seeking community and Bureau member review and feedback on Bureau directives during two scheduled 30-day review periods:
 - First Universal Review: Seeks feedback on 1) existing Bureau directives, or 2) the first public draft of a new directive.

- Second Universal Review: Seeks feedback on 1) potential changes to existing Bureau directives, or 2) the second public draft of a new directive.

Policy:

1. The purpose of this directive is to establish the process for ~~the review~~reviewing and ~~development of developing~~ Portland Police Bureau directives.
2. The Portland Police Bureau recognizes that ~~community members entrust the training and adherence to~~ Bureau with great authority. ~~As a result, the policies, procedures, and rules are essential to~~ Bureau has a responsibility to the public to ensure that its members appropriately exercise that authority. ~~Member accountability is paramount. Legitimacy and maintaining professional standards of conduct.~~ The Bureau's written directive system houses Bureau ~~must demonstrate responsibility~~policies, procedures and rules. The Bureau is responsible for guiding member action and holding members accountable to ~~established policies and procedures~~Bureau directives in furtherance of professionalism and legitimacy.
3. The Bureau strives to establish ~~policies and procedures directives~~ that promote professional best practices and guide members to be good stewards of public resources. Bureau directives ~~serve as~~are the foundation for all Portland Police Bureau operations. ~~The policies and procedures, and rules contained in directives promote professional practices and provide staff members with information to act decisively, consistently, and legally.~~ When unusual circumstances are encountered, the directives assist members in identifying the best course of action ~~to follow~~.
4. The Bureau values the input of community members, Bureau members, and our working partners. ~~Collaboration and community involvement are essential to ensuring that Bureau policies and procedures reflect the values of the community we serve. For this reason, the Bureau encourages community members, Bureau members, and other key stakeholders to participate in the directive development process by contributing feedback on directives when they are scheduled for review.~~

Procedure:

~~1. Process Initiation.~~

~~1. Any member of the Bureau may Initiating Directive Review and Development.~~

- 1.1. Anyone can contact the Policy Development Team to ~~request~~ask the ~~creation of~~Bureau to create a new directive or ~~the revision to~~revise or ~~reissuance of~~rescind an existing directive.

Existing

1.2. The Bureau determines directive review and development priorities based on operational, administrative, and/or legal need.

- 1.2.1. Matters that may create a need to address a directive include, but are not limited to: changes in best practice, staffing concerns, budget, a shift in organizational philosophy, audit or research findings, complaints or discipline outcomes, contract negotiations, changes in law, or litigation.

~~1.3. The Bureau shall attempt to review existing directives shall be reviewed every two years from the time of enactment.~~

~~1.2. The by the Chief or designee. The review history shall be documented at the bottom of each directive.~~

~~1.3.1.4. The Chief or designee shall have the authority to may adjust the review schedule of a directive if an operational need requires that the directive be immediately reviewed and modified or when otherwise deemed necessary based on operational, administrative, or legal need.~~

~~1.4.1.5. New directives shall undergo a one-year review from the time of enactment. Upon completion of the year one review, the Bureau shall adjust the review period to align with the standard two-year review schedule.~~

~~Prior to being approved by the~~

2. Department of Justice (DOJ), Directives

~~1.5.2.1. The Bureau shall review directives that pertain to compliance with the 2012 pertaining to DOJ Settlement Agreement shall undergo compliance, using the standard universal review and public comment processes, Universal Review and Public Comment (“Universal Review”) process as established in this policy directive.~~

~~1.5.1.2.1.1. After receiving DOJ approval and pursuant to the terms of the The Bureau shall review new directives pertaining to DOJ Settlement Agreement, all DOJ-identified directives are subject to an initial semi-annual review, followed by annual reviews compliance 180 days after the directive is enacted, and annually thereafter.~~

~~1.6.2.2. Occasionally, the initiation of the Members and the community should be aware that directives pertaining to DOJ Settlement Agreement compliance involve additional review and/or approval by the DOJ, which may potentially lead to a lengthier review and development process may be tied to an administrative, legislative, or legal rationale.~~

~~1.6.1. Administrative matters that may create a need to address a directive include, but are not limited to:~~

~~1.6.1.1. A shift in organizational philosophy;~~

~~1.6.1.2. A specific division need;~~

~~1.6.1.3. Trend data;~~

~~1.6.1.4. Complaints or discipline outcomes;~~

~~1.6.1.5. Contract negotiations;~~

~~1.6.1.6. Budget adjustments;~~

~~1.6.1.7. Changes to administrative rules; and/or~~

~~1.6.1.8. Audit findings.~~

~~1.6.2. Legislative matters that may create a need to address a directive include changes in city, county, state, or federal law.~~

~~1.6.3. Legal matters that may create a need to address a directive include the publication of a court holding or order issued in binding jurisdictions, or the execution of a term in a settlement agreement.~~

~~First~~

~~2.3. Universal Review and Public Comment Period—Current Directive.~~

~~2.1.3.1. When reviewing an existing directive(s), the~~The Policy Development Team shall post ~~the current active version of the directive(s)~~directives on the Bureau’s website for ~~universal review and public comment for 1530~~ calendar days ~~for each First Universal Review and Second Universal Review period.~~

~~2.2.3.2. The~~When a directive is scheduledBureau shall attempt to post directives for universal review and public comment, the Bureau shall endeavor to post the ~~directive(s)~~ on the first and/or fifteenth of the month. However, ~~if an~~operational need requires that the ~~directive(s) be immediately posted,~~ the Bureau may post the ~~directive(s)~~may require posting outside of ~~that timeframethose~~dates.

~~2.3.3.3. Bureau members and members of the public~~Anyone may submit feedback by using the form provided on the Bureau’s website ~~during Universal Review, or by email at any time.~~

~~2.4.3.4. Comments that are received after the closing date of the first universal review and comment period~~outside of Universal Review shall be maintained by the Policy Development Team until the next review period for the directive.

~~3.4. Executive Reconciliation. Policy Development Team Responsibilities.~~

~~3.1.—The Policy Development Team shall~~ compile~~read and consider~~ all comments received during ~~Universal Review and refer comments to the~~ universal-Chief’s Office as ~~needed for review period and prepare those comments for consideration during executive reconciliation.~~

~~4.1. The Policy Development Team shall contact and confer with internal and, when appropriate, external/or decision-making.~~

~~3.2.4.2. The Policy Development Team shall consult~~ subject matter experts (SMEs) ~~and the City Attorney’s Office~~ to ensure that ~~as policies are developed, they~~directives are accurate, clearly written, consistent with professional practices, and that they satisfy legal requirements.

~~3.2.1.—The Policy Development Team shall establish an SME meeting schedule to discuss the directive in detail and assist in the development of the directive.~~

~~4.—may make revisions following~~ Second Universal Review and Public Comment Period.

~~4.1.—After SME meetings and consideration of initial public comments, the Policy Development Team shall post a draft containing proposed changes to the current active directive, a redline copy, as well as the public comments received during the first universal review and public comment period.~~

~~4.1.1.—The directive shall be posted on the Bureau’s website for 30 calendar days to gather additional feedback from members of the public and other stakeholders.~~

~~4.1.1.1.—When the directive is scheduled for the second universal review and public comment, the Bureau shall endeavor to post the directive(s) on the first or fifteenth of the month. However, if an operational need requires that the directive(s) be immediately posted, the Bureau may post the directive(s) outside of that timeframe.~~

~~4.2.—Comments that are received after the closing date of the additional public comment period shall be maintained by the Policy Development Team until the next review of the directive.~~

~~4.3. The Policy Development Team shall also consider all comments received during the second universal review period and public comment period. If any changes based on the second round of public comments are warranted, the Policy Development Team may make additional revisions without further public comment.~~

~~5.—Review of and Public Comment on New Directives~~

~~5.1.—When creating a new directive, the Policy Development Team shall post a draft of the proposed language on the Bureau’s website for universal review and public comment for 30 calendar days.~~

~~5.1.1.—The Bureau shall endeavor to post the directive(s) on the first and/or fifteenth of the month. However, if an operational need requires that the directive(s) be immediately posted, the Bureau may post the directive(s) outside of that timeframe.~~

~~5.2.—Bureau members and members of the public may submit feedback by using the form provided on the Bureau’s website.~~

~~5.3.1.1.—Comments that are received after the closing date of the universal review and comment period shall be maintained by the Policy Development Team until the next review period for the directive.~~

~~5.4.—The Policy Development Team shall consider all comments received during the universal review period and public comment period. If any changes are warranted, the Policy Development Team may make additional revisions without further public comment.~~

~~6.5.~~Collective Bargaining Unit (“Union”) Review.

~~6.1.5.1. Unions are grantedhave an opportunity to review revised and new directives prior tobefore enactment to consider any potential labor-related issues and, when deemed necessary, exercise bargaining rights.~~

~~6.1.1.5.1.1.~~ 6.1.1.5.1.1. The Policy Development Team shall ~~notify~~provide all recognized member unions ~~that a new directive has been drafted and is being considered for implementation, and shall issue the~~with proposed ~~directive to the unions~~new and revised directives for a 15 business-day review period.

~~6.2.5.2.~~ 6.2.5.2. ~~Upon conclusion of the review period~~When Union Review ends, the Policy Development Team shall compile all union comments and consult with the City Attorney's Office to address any union comments and/or concerns that resulted from the review process.

~~7.6.~~ 7.6. Chief's Office Review ~~Period.~~

~~7.1.6.1.~~ 7.1.6.1. The Chief's Office shall review the final draft of all directives to ensure the directive, ~~developed after all public and union input, to ensure that it~~ is reasonable, aligns with the Bureau's philosophy, comports with applicable legal requirements, and meets best practice standards and operational needs.

~~7.1.1.~~ 7.1.1. ~~The Assistant Chiefs shall have a period of five business days to review Bureau policies prior to enactment.~~

~~7.2.~~ 7.2. ~~Following the Assistant Chiefs' review, the Chief or designee shall perform a final review of the directive to ensure that it aligns with Bureau strategy and focus.~~

~~7.2.1.6.1.1.~~ 7.2.1.6.1.1. The Chief and the Police Commissioner have complete discretion regarding the content and implementation of Bureau directives and may either approve the proposed directive, or refer it back to the Policy Development Team for further executive reconciliation.

~~8.7.~~ 8.7. Executive Summary.

~~8.1.7.1.~~ 8.1.7.1. ~~Upon approval and signature by~~After the Chief or designee signs and approves a directive, the Policy Development Team shall ~~prepare~~ensure the directive ~~for internal dissemination is sent to all members~~ and shall post the ~~portfolio~~executive summary to the Bureau's website.

~~The portfolio is comprised of a summary of the Bureau's internal review process for the directive(s), all public comments received during the public review periods and an updated and approved version of the directive(s), which reflects changes made throughout the review process. The portfolio shall be posted on the Bureau's website for 30 calendar days.~~

~~7.2.~~ 7.2. To give the community notice of upcoming changes to directives, the Bureau posts executive summaries to its website as "Directives Pending Enactment." Once a directive is enacted, the executive summary can be found on the Bureau website under "Executive Summary Archives."

~~8.1.1.1.~~ 8.1.1.1. ~~The updated directive(s) shall be posted for review only, as it will be pending enactment at that time. No further public feedback will be sought or accepted.~~

~~9.8.~~ 9.8. Member Acknowledgment.

~~9.1.8.1.~~ The Policy Development Team shall internally announce (via email) new or revised directive(s) to members ~~prior to before~~ enactment.

~~9.1.1.8.1.1.~~ Pursuant to Directive ~~3150315.00~~, Laws, Rules and Orders, members shall be required to electronically sign a statement acknowledging that they have received, read, and had an opportunity to ask questions about the directives within 30 calendar days of the Chief's or designee's signature and ~~prior to before~~ enactment.

~~10.9.~~ Enactment.

~~10.1.9.1.~~ Directives approved by the Chief, or a designee, shall be effective at midnight exactly 30 days from the signature date to allow sufficient time for members to read and acknowledge the updated or new directive.

~~10.1.1.9.1.1.~~ The effective date shall be included at the bottom of each directive.

~~10.1.2.9.1.2.~~ Enactment dates and reconciliation processes may be altered, depending on judicial orders or the interests of opposing parties in litigation or settlements.

~~10.2.9.2.~~ The Chief or designee shall have the authority to adjust the effective date of a directive (i.e., fewer than 30 days) if an operational need requires immediate enactment or when otherwise deemed necessary.

~~11.10.~~ Publication.

~~11.1.10.1.~~ At the ~~conclusionend~~ of the 30-day member acknowledgement period, or when the Chief or designee has determined that immediate enactment is necessary, the Policy Development Team shall publish the enacted ~~policydirective~~ on the Bureau's website. ~~The published copy shall include the updated review schedule for the directive.~~

~~11.2.10.2.~~ The Policy Development Team shall maintain a record of all current and previous versions of Bureau directives.

~~12. Temporary Suspension of Directives.~~

~~11. Executive Orders.~~

~~12.1.11.1.~~ The Chief or designee ~~shall have the authority to can unilaterally~~ temporarily suspend ~~portionspart~~ or ~~the entiretyall~~ of a directive, ~~or create a new directive~~, if an operational, ~~administrative, or legal~~ need requires ~~suchimmediate~~ action.

~~11.2.~~ In these circumstances, the Chief or designee shall ~~authorize the temporary suspension through a Specialissue an Executive Order issued~~ Bureau-wide. ~~The SpecialExecutive Order shall note the date on whichthe Executive Order expires, when applicable.~~

~~12.2.11.3.~~ ~~If the Chief intends for an Executive Order to become permanent, the Bureau shall include proposed changes reflecting the original directive shall be reinstated. Executive Order during the next scheduled Universal Review.~~

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, January 16, 2022 4:54:36 PM
Last Modified: Sunday, January 16, 2022 4:55:07 PM
Time Spent: 00:00:31
IP Address: 97.120.188.96

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Q1

Please provide feedback for this directive

COMMENTS ON MENTAL HEALTH, CUSTODY, IMMIGRATION AND OTHER DIRECTIVES, JANUARY 2022

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 Portland Copwatch's comments on the 13 of the 15 Directives posted for review in January . The "First Universal Review" is particularly challenging, not only because of the very short (15 day) timeline, but because it is difficult to know if the Bureau intends to make any changes to the policies. Because the public is presented with the policies as they currently exist, it is extremely challenging to determine if any changes were made between the last Second Universal Review and the present time. We strongly suggest that the Bureau include both (a) a statement of intent if there is a particular reason a Directive has been chosen and (b) a link to an existing implementation memo which might include a final redline of the previous iteration and the Bureau's reflections on public comments.

The wide variety of topics in this set of Directives is offset for us by the fact that we've made comments on all of them, except for 850.30 on Juveniles, previously. We've tried to indicate where the Bureau has made its (rare) changes reflective of our input. Otherwise, many of these comments are repeats of ones we made between January 2015 and January 2021.

Portland Copwatch (PCW) has chosen again not to comment on 660.32 Informant Processing because of the distasteful nature of such government-sponsored subterfuge, and 630.50 on Medical Aid, to which no changes have been made despite its previous posting in 2016.

We continue to ask that the Bureau add numbers or letters to the Definitions, Policy and Procedure sections to make them easier to reference. Our comments below refer to the Procedure section unless otherwise noted.

DIRECTIVE 010.00 DIRECTIVES REVIEW AND DEVELOPMENT PROCESS (last comments August 2017)

--Appreciated Change (010.00): We previously expressed concern that incoming comments on Directives were only being posted after the comment period closed and the Bureau was ready to enact revised policies. Section 4.1 now explicitly says that comments will be part of the Second Universal Review packets. PCW appreciates the change.

--Appreciated Change II (010.00): We appreciate that the Bureau has changed the term "Union Review" to "Collective Bargaining Unit ('Union') Review" in Section 6, per our suggestion.

--Appreciated Change III (010.00): Section 7.2.1 now mentions the Police Commissioner in addition to the Chief in discussing who ultimately can approve or veto Bureau Directives, as we asked.

--Appreciated Change IV (010.00): The Bureau added County law to Section 1.5.2 on legislative matters affecting policy, per our suggestion.

--Appreciated Change V, with Caveat (010.00): The Bureau responded to our earlier suggestion that the time frame for the Second Review be extended to 30 days (Section 4.1.1). This has been very helpful, but unfortunately in doing so, the time frame for the First Review was shortened to 15 days (Section 2.1). They should both be at least 30 days long so that groups, including the Bureau's own advisory groups, who only meet once a month can give these policies adequate attention.

--Directives vs. SOPs: What happens if officers fail to follow Standard Operating Procedures (most of which are not made public), rather than Directives?

0010.00 Directive Feedback (1UR)

--Violations Which Prompt Discipline: We repeat our recommendation that this policy should require all Directives to be clear which Procedures would lead to the non-disciplinary complaint process rather than possible corrective action.

--Encourage Officer Input: As we wrote before, "as odd as it may seem coming from Portland Copwatch, we wonder why there is no longer language specifically welcoming input from Bureau members. After all, we know that roughly 66% of the Bureau's employees do not live in Portland and thus do not qualify as 'community members.'" Although we may disagree with their input, it could be valuable. PPB members are mentioned specifically for the first time in Section 2.2, but only, perhaps, as "other key stakeholders" in Policy 4.

--Give Us a Clue: As we have asked many times, we suggest that Directives posted for First Universal Review (addressed in Section 2) include a cover letter explaining why the Bureau is reviewing the document and what possible changes are already being considered. Knowing the reason for the review will prompt more meaningful input. It is also not clear that the Executive Summary (Section 8.1) requires a cover memo such as the Bureau has been using to explain the changes and why they were/were not made.

--Secret Society Review Team: We noted several times before it is not clear who is reviewing the comments. An old version of the Directive indicated the Strategic Services Division, the "Lead Reviewer," the City Attorney and the Bureau's "executive members" were involved in review. Now the term "Policy Development team" is used in the Definitions section and Section elsewhere, with no membership defined. (It may also be helpful to give examples of "subject matter experts.")

--Some Stakeholders Are More Equal Than Others: PCW continues to object to the collective bargaining units having a separate time period to comment on the Directive after the public period is over. Unless their comments are being included in the Executive Summary document (which is not clear since comments are de-identified), the bargaining units should weigh in along with everyone else. The backdoor negotiations on matters of public discussion leads to the kind of unrest that happened around the PPA contract in October 2016. Also, notably, a Tentative Agreement between the City and the PPA (Article 15) gives that unit the ability to look at the "final draft" of policies, something not afforded to the community.

--Who's Minding the Store?: A section from a previous draft giving Supervisors the responsibility to ensure officers sign the Directives has been struck. We again strongly recommend re-inserting it.

--Emergency Comments Should Be Allowed: Section 9.1.1.1 very clearly states that if there objections to the Directive posted for implementation, the Bureau will not receive them. This is also poor policy, as the discovery of flawed legal analysis (such as the "ten times 48 hour rule" that PCW and the AMA Coalition and others uncovered in 2017) can halt the implementation of unsound Directives.

--Keeping Records: Section 8 should call for archiving the Executive Summaries so people can examine the input and the Bureau's reasoning up to and past when another revision is made. (Archiving old Directives is still wisely required in Section 11.2.)

--How Old is This Policy?: Listing the enactment date on all Directives is crucial to be sure what is the most current policy (Section 10.1.1), though the dates are not always included in the review packets.

CONCLUSION

We recognize that the Directives development process has evolved since it began, particularly with the addition of redline versions and public comments posted in the Second Universal Review. There is still more to be gained by adding the information suggested in our introduction and holding public meetings to exchange ideas about suggested changes. Several advisory bodies including the Citizen Review Committee, Portland Committee on Community Engaged Policing and Training Advisory Council all have a stake in various Directives, but the first two only meet once a month and the latter only meets every two months, so they can't easily meet the Bureau's deadlines for input.

Many of these policies could help reduce harm against vulnerable parts of our population. However, the incidents of use of deadly force against people in mental health crisis continues unabated, with at least three of eight people shot by the PPB in crisis in 2021. Notably, the last time the Bureau was involved in this many deadly force incidents was 2005. Yet after nine years of oversight by the US Department of Justice, it seems the ideas of de-escalation and other tactics outlined in these policies are thrown out the window

0010.00 Directive Feedback (1UR)

because an officer or officers default to pulling firearms, pile on an agitated person, or using so-called "less lethal" weapons. The number one priority should always be respecting the dignity and humanity of the civilian and making sure everyone gets to go home safe at night-- whether or not a suspected mental health issue is at play.

We appreciate being invited to provide input into the Bureau's policies. Our goal at Portland Copwatch is that so long as there is a Police Bureau, its should be free of corruption, brutality and racism. We hope that our suggestions will help lead to such a culture.

--dan handelman (and other members of)

--Portland Copwatch

Q2

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

Name

Portland Copwatch

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, January 16, 2022 7:47:37 PM
Last Modified: Sunday, January 16, 2022 7:47:52 PM
Time Spent: 00:00:14
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Q1

Please provide feedback for this directive

- During the review, I noticed that directives aren't consistent in their numbering system, which makes it hard to give good feedback. The bureau should consider as a goal of directive review, ensuring that contents of directives are clearly and consistently numbered.
 - Consider making review of directives for legibility and revision to use plain language a goal of directive review.
-

Q2

Respondent skipped this question

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