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0635.10 Portland Police Bureau Response Public Order Events
Second Universal Review: 9/15/22 - 10/15/22

Refer ORS 131.675 Dispersal of Unlawful or Riotous Assemblies

- ORS 161.015 General Definitions (1) (“Dangerous Weapon”)
- ORS 166.220 Unlawful Use of Weapon
- ORS 181A.250 Specific Information Not to be Collected or Maintained
- ORS 181A.708 Use of Chemical Incapacitants, Kinetic Impact Projectiles and Sound Devices
- ORS 181A.710 Use of Other Law Enforcement Agencies to Engage in Barred Conduct
- Oregon Administrative Rules 166-200-0405(5) and 166-200-0100(68)
- Portland City Code 14C.30.010, Authority to Restrict Access to Certain Areas
- Portland City Code 14C.30.020, Other Police Officers Authorized to Arrest, Cite, or Take Other Enforcement Action for Violations of City Code Provisions
- Portland City Code 14C.30.040, Seizure and Disposition of Weapons
- Portland City Code 20.12.200, Trespassing and Areas Closed to the Public
- Portland City Code 20.12.265, Park Exclusions
- DIR 0312.50, Identification
- DIR 0344.05, Bias-Based Policing/Profiling Prohibited
- DIR 0635.20, Community Member Observation of Police
- DIR 0640.02, Photography and Digital Imaging
- DIR 0650.00, Search, Seizures, and Inventories
- DIR 0660.10, Property and Evidence Procedures
- DIR 0700.00, Bureau Response to All-Hazards Using the National Incident Management System (NIMS)
- DIR 0900.00, General Reporting Guidelines
- DIR 0905.00, Non-Force After Action Reporting
- DIR 0910.00, Use of Force Reporting, Review, and Investigation
- DIR 1010.00, Use of Force
- DIR 1015.00, Less Lethal Weapons and Tools
- Operations Branch, Standard Operating Procedure #15: Mobile Field Force
- Forensic Evidence Division, Standard Operating Procedure: Video/Photographic Evidence Collected in Response to Civil Disturbance or Crowd Management/Control Operations and the Disposition of Such Video/Photographs

Definitions:

- Chemical Incapacitant: The following, together or separately:
 - (i) Handheld or launched munitions and devices specifically designed to cause temporary pain, temporary irritation, temporary disruption of vital processes, temporary incapacitation, temporary disability or permanent harm through the toxic properties of toxic chemicals, or their precursors, that would be released as a result of the employment of the handheld or launched munitions and devices; and (ii) Any equipment specifically designed for use directly in connection with the employment of handheld or launched munitions and devices

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as described in subparagraph (i) of this subparagraph. **“Chemical incapacitant” includes handheld and launched chemical munitions, but does not include tear gas.**

- Civil Disobedience: A non-violent form of protest or resistance to obeying certain laws, demands or commands of a government.
- Civil Disturbance: An unlawful assembly that constitutes a clear and present danger of riot, disorder, interference with traffic upon the public streets or when another immediate threat to public safety, peace or order appears.
- Crowd Control: Law enforcement tactics and strategies used in response to an event to effect or influence a crowd to comply with a lawful order, when the event has become a civil disturbance or riot. Crowd control may include mass arrests, dispersal orders, the use of less lethal weapons, or other tactics that may be necessary to preserve life or safety.
- Crowd Intervention: Law enforcement strategies and tactics used, before riot declaration, to de-escalate the crowd, or prevent or isolate disruptions or unlawful activity during an otherwise lawful event, Crowd intervention may include communication with event participants during the event, individual arrests targeting persons engaged in unlawful behavior, and other tactics that de-escalate crowd behavior and minimize disruption of those lawfully exercising their rights.
- Crowd Management: A public security practice in which crowds are managed to prevent the outbreak of crowd rushes, affrays, fights or riots, or in which an assembly, protest or demonstration is dispersed. This is a state law term that defines when certain weapons, tools, and proxy law enforcement use is restricted by state law. For this directive, crowd management encompasses crowd monitoring, crowd intervention, and crowd control.
- Crowd Management Incident Commander (CMIC): For this Directive, a command member who has received special training in crowd stewardship, intervention, and control. The Chief of Police will designate a command staff member to serve as the CMIC for every major public order event. This position possesses the overall responsibility for managing the event by establishing objectives, planning strategies, and implementing tactics in accordance with this Directive and Directive 0700.00, National Incident Management System (NIMS) and Incident Command System (ICS). This position reports to the Assistant Chief of Operations during events.
- Crowd Stewardship: Law enforcement review and tracking of public order events to determine what, if any, police presence is needed to facilitate the lawful expression of First Amendment Rights while preserving public safety. Crowd stewardship may include: event planning, communicating with participants before and during the event, information gathering and sharing, observing the event for criminal activity, deciding for or against visible police presence during the event, and other approaches.
- Feasible: When time and safety allow for a particular action.

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- Incident Action Plan (IAP): An Incident Commander-approved document that defines the operational period, priorities, objectives, strategies, and tactics for an event or incident, as well as the response strategy defined by incident command during response planning.
- Incident Commander (IC): The person responsible for all incident activities, including developing strategies and tactics and monitoring resources. The IC has the overall authority and responsibility for conducting incident operations and is responsible for managing all incident operations at the incident site.
- Incident Command System (ICS): A standardized approach to the command, control, and coordination of on-scene management.
- Kinetic Impact Projectile: All non-lethal, less-lethal, or semi-lethal projectiles, including, but not limited to rubber and plastic bullets, beanbag rounds, sponge rounds, and pellet rounds.
- Mass Arrest: The tactic of simultaneously arresting, in one action, numerous people in a short amount of time during a crowd management event, with the intent of taking them into custody or issuing them criminal citations.
- Mass Detention: The tactic of simultaneously detaining, in one action, numerous people during a crowd management event for a cursory investigation.
- Mobile Field Force (MFF): Sworn members, who are trained in basic crowd control tactics and techniques, organized into a squad and deployed to assist in crowd management.
- Operations Section Chief: A member, designated by the CMIC, who develops and implements strategy and tactics to carry out incident objectives. The designated member organizes, assigns, and supervises the tactical response resources.
- Persons-In-Charge: The person(s) designated by an event organizer or permit holder to act on behalf of, and with the authority of, the event organizer or permit holder.
- Portland Police Bureau Event Liaison: A Bureau member who has been designated by the IC as the primary contact for communication with the event’s Person-In-Charge to police.
- Public Order Event: A lawful assembly of a large number of people. Generally, persons primarily organize to exercise their First Amendment right to express political or social views and influence public opinion; however, these events may include the assembling of people to participate in a social or community event. Events can be planned or spontaneous and may include, but are not limited to, distributing literature, displaying banners, assembling, marching, picketing, participating in festivals or concerts, or other similar activity.
- Public Order Unit (POU): The Bureau’s all-hazard team of members who are specially trained to assist in the response to human-made/natural disasters and other emergency

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management situations which include, but are not limited to, the stewardship and control of crowds through various tactics and techniques.

- Riot: Six or more persons engaging in tumultuous and violent conduct and thereby intentionally or recklessly creating a grave risk of causing public alarm.
- Squad: A group of members tasked with accomplishing certain goals and missions. A minimum of one sergeant shall be assigned to each squad. The maximum span of control is 1-7 members per supervisor. (ICS refers to this group as a “strike team”).
- Tear Gas: Oleoresin capsicum or orthochlorobenzalmalononitrile, or other similar chemicals meant to accomplish the same effect, administered by any shell, cartridge, or bomb capable of being discharged or exploded, when the discharge or explosion will cause or permit the release or emission of the chemicals.

Policy:

1. This Directive establishes procedures for the Bureau’s response to public order events (“events”).
2. The Portland Police Bureau recognizes both the importance of protecting First Amendment rights and the tradition of exercising free speech and assembly in the City of Portland. The Bureau is committed to respecting lawful assembly and expression of speech while also maintaining public safety, peace, and order.
3. The Bureau follows national best practices among the principles of crowd monitoring, crowd intervention, and crowd control. Absent immediate safety concerns, the Bureau begins with crowd monitoring and prioritizes event participant engagement and promoting the crowd to self-regulate.
4. While the First Amendment protects freedom of speech, it does not protect criminal acts. The Bureau has a responsibility to protect public safety and maintain peace and order. The Bureau recognizes that a police response that impedes otherwise protected speech must be narrowly tailored to serve a significant government interest. Events may simultaneously include persons lawfully assembling and expressing speech, and persons unlawfully committing crimes. The Bureau must assess the totality of the circumstances to determine whether and to what extent police action is needed.

Procedure:

1. Core Principles.
 - 1.1. Bureau members shall respect the First Amendment rights of all persons and protect the safety of persons assembled to exercise their rights.
 - 1.2. When event participants comply with City laws and ordinances, the Bureau shall attempt to limit police involvement by encouraging and supporting participant efforts to self-regulate and manage their events.

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- 1.3. Nothing in this directive relieves members from following other Bureau directives, reporting or investigation requirements, or state or federal law.
 - 1.4. Directive 1010.00, Use of Force, governs all uses of force, including force use during events.
 - 1.4.1. In accordance with state law, members’ force use in crowd control situations is further restricted by requirements in this directive (e.g., the restricted use of certain weapons and tactics for crowd control purposes).
 - 1.5. The Bureau shall use the national, standardized, and exhaustive Incident Command System (ICS) to plan and manage events. Members shall refer to Directive 0700.00, Bureau Response to All-Hazards Using the National Incident Management System (NIMS), for specific guidance regarding incident management.
 - 1.6. If the Bureau plans to respond to an event, the IC shall develop an Incident Action Plan (IAP) before the start of the event, when feasible.
2. General Guidelines for Planned Events (At Least 24-hour Notice).
 - 2.1. The Assistant Chief of Operations and the precinct commander nearest to the event location shall determine whether a planned police response is necessary and the extent of initial staffing needs.
 - 2.1.1. Events that are small in crowd size, or for which credible information indicates that there is little concern of criminal activity, civil disobedience, civil disturbance, or riotous behavior, shall generally be managed at the precinct level. The shift supervisor shall serve as the IC and determine precinct staffing needs.
 - 2.1.1.1. If crowd behavior escalates to a level that poses a threat to public safety, peace, or order during an event that is being managed by a shift supervisor acting as the IC, the shift supervisor must consult with a CMIC who will then determine if they (the CMIC) should assume command and request additional resources.
 - 2.1.1.2. The Assistant Chief of Operations shall designate a CMIC for events that are anticipated to have a greater critical impact, require a significant police response, and/or have the potential to become a civil disturbance or riot.
 - 2.2. In accordance with the ICS, if the IC deems a police response necessary, the IC or designee, shall develop an IAP for the event.
 - 2.2.1. If the IC determines that basic Mobile Field Force (MFF) and bicycle units are not sufficient to manage the crowd, the IC shall assign a CMIC to the event.
 - 2.2.2. Only an IC or a CMIC may activate the Public Order Unit (POU), mass arrest teams, or detention teams.
 - 2.2.2.1. If a shift supervisor is staffing an event as the IC, they shall consult with a CMIC before activating POU.
 - 2.2.2.2. Activation of mass arrest or detention requires the IC or CMIC to notify the Detective Division to ensure mass arrest resources are available.

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3. General Guidelines for Spontaneous Events (Less Than 24-hour Notice).
 - 3.1. Many spontaneous events can be lawful and facilitated with appropriate police assistance. A spontaneous or non-permitted event is not necessarily unlawful, nor does it automatically require a significant police response.
 - 3.2. A supervisor at the precinct of occurrence shall respond to the event to determine if a police response is warranted.
 - 3.2.1. If a police response is warranted, the on-scene supervisor shall serve as the IC for the incident and attempt to engage the event organizer in an effort to protect the safety of participants and the public, and to facilitate participants’ right to lawfully assemble.
 - 3.2.1.1. If the Sergeant who is the first supervisor on scene of a spontaneous event determines that, within the ICS, they do not have the capacity to solely manage the event, they shall notify their Lieutenant, who may then respond to the scene and assume command after debriefing.
 - 3.2.2. The on-scene supervisor (IC) may contact a POU supervisor, the POU commander, or a CMIC to help determine an appropriate level of response.
 - 3.2.2.1. After consultation, if the IC determines that a higher level of police response is necessary, they shall call in a CMIC to assume command.
 - 3.2.3. If crowd behavior during the event escalates to a level that poses a threat to public safety, peace, or order during an event that is being managed by a shift supervisor, the shift supervisor must consult with a CMIC, who will then determine if they (the CMIC) should assume command.
4. Communication to the Crowd.
 - 4.1. Communication is a critical function during an event. Announcements and warnings serve an informational purpose, but have certain functional distinctions. Generally, the Bureau will strive to directly communicate with event organizers and use amplified audio communications and the PIO to issue announcements and warnings to the crowd for the purpose of decreasing the need for police action.
 - 4.2. Generally, barring emergency circumstances, the Bureau will issue announcements and warnings by using a graduated approach that aligns with its response of crowd stewardship, intervention, or control.
 - 4.3. Announcements.
 - 4.3.1. Announcements are designed to:
 - 4.3.1.1. Convey general information to the crowd in an effort to keep an event lawful;
 - 4.3.1.2. Communicate targeted information to specific persons to provide direction; and
 - 4.3.1.3. Serve as a de-escalation tool by directing and informing the crowd in an attempt to prevent the need for police action or the use of force.
 - 4.3.2. If the crowd or individuals in the crowd do not present a clear and present danger that threatens the public safety, peace or order, members will continue to monitor the crowd and issue announcements, as needed.

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- 4.3.3. When feasible, members shall issue a minimum of two announcements at reasonable intervals to notify the crowd of an impending order or arrest.
 - 4.3.4. When issuing announcements, members should cite specific offenses and violations being committed and caution the crowd that riotous acts will not be permitted and may result in arrest or necessitate the use of force.
- 4.4. Warnings.
- 4.4.1. Warnings are designed to:
 - 4.4.1.1. Inform person(s) of impending police action (e.g., force); and
 - 4.4.1.2. Gain compliance with a lawful order.
 - 4.4.2. If the crowd or persons in the crowd engage in criminal activity or behavior that presents a clear and present danger that threatens the public safety, peace or order, members may shift to employing crowd intervention and/or crowd control tactics. If this occurs, members shall, when feasible, issue warnings to the crowd.
 - 4.4.3. Pursuant to Directive 1010.00, Use of Force and state law, members shall, when feasible, issue a warning before using force.
- 4.5. Documentation of Announcements and Warnings.
- 4.5.1. Members shall document their issuance of an announcement(s) or warning(s) in an appropriate police report (e.g., date, time, location, announcing member, messages, number of warnings provided, etc.).
 - 4.5.1.1. If a member does not issue a warning before using force, the member shall document the reason in their force report.
- 4.6. Amplified Audio Communications.
- 4.6.1. When feasible, members should use a sound truck or another public announcement system to ensure the crowd can hear the Bureau’s announcements or supplement warning issuances.
 - 4.6.1.1. Announcements and warnings to the crowd should be loud, intelligible, and consistent.
 - 4.6.1.1.1. When feasible, a member should position themselves at the back of the crowd to ensure the sound truck communication is sufficiently loud, intelligible, and consistent.
 - 4.6.2. Use of a sound truck to issue a force warning does not replace the warning requirement set forth in Directive 1010.00, Use of Force.
 - 4.6.3. The Bureau shall not use a sound device (e.g., the sound truck) for crowd management for any purpose other than announcements or warnings.
 - 4.6.4. During spontaneous events, members may not have access to a sound truck or another public announcement system, and the PIO may not be present. In these circumstances, members shall act in accordance with this section when operationally possible.
- 4.7. Visual Communication.

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4.7.1. The PIO shall provide the visual communication of the Bureau’s announcements and warnings using social media platforms.

5. Crowd Stewardship.

5.1. Planning and Communication.

5.1.1. When a police response is requested or deemed necessary by the Bureau:

5.1.1.1. The Bureau shall make reasonable efforts to contact and engage in dialogue with known event organizers to assist the Bureau in its planning and to develop a shared understanding of the organizers’ needs and objectives. Similarly, the Bureau should communicate its expectations and inform participants on permissible and restricted actions during the event.

5.1.1.2. The Bureau, through the PPB Event Liaison or another designee, shall attempt to maintain communication with known event organizers or the Person(s)-in-Charge before and during the event. The Liaison shall maintain communications with the IC to keep them apprised of the situation.

5.1.1.3. The Bureau, through the Public Information Officer (PIO) or another designee, shall communicate through the use of social media and other conventional outlets to keep the public, including the crowd, informed throughout the event. The Bureau shall update its means of communication based on current technology.

5.2. During the Event.

5.2.1. The IC shall continuously monitor the event, weighing the totality of the circumstances to inform the decision to introduce police action to maintain public safety, peace, and order.

5.2.1.1. When deciding whether to use certain police tactics within a crowd, the IC shall consider the government interest in intervening and the potential impact on the participants’ ability to exercise their First Amendment rights.

5.2.1.2. The IC, or a designee, shall authorize the appropriate level of protective equipment based on several factors including, but not limited to:

5.2.1.2.1. Member safety,

5.2.1.2.2. Individual and/or group physical resistance,

5.2.1.2.3. The presence of weapons,

5.2.1.2.4. Actual or credible threats or indicators of violent behavior,

5.2.1.2.5. Actual or credible threats or indicators of criminal actions, and

5.2.1.2.6. The potential impact or perceived effect that appearing in protective gear may have on the crowd.

5.2.1.3. When practical and in an attempt to avoid escalating the situation, the IC should strive to position members in protective gear in locations that minimize visibility until deployment is necessary for crowd intervention or control.

6. Crowd Intervention.

6.1. The Bureau recognizes that crowd participation in civil disobedience may be appropriate in certain contexts and circumstances. If crowd behavior escalates and presents a clear and present danger that threatens the public safety, peace, or order, and

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the event can no longer be effectively managed through a minimal police presence, the IC may adjust crowd tactics to adequately respond.

- 6.2. During intervention, the Liaison or another IC-designated member shall continue to attempt to maintain communication with the known event organizers or the Person(s)-in-Charge the event.
 - 6.3. When crowd intervention is necessary, members shall strive to distinguish between persons engaged in criminal behavior, persons peacefully and lawfully demonstrating, and nonparticipants.
 - 6.4. The Bureau shall use intervention strategies and tactics, such as individual arrests, in an attempt to de-escalate the situation and prevent further unlawful behavior without interfering with members of the crowd who are lawfully assembling.
 - 6.5. When feasible, an IC-designated member and/or the member operating the sound truck shall convey police action to the crowd via announcements and warnings and attempt to encourage lawful activity.
 - 6.6. The IC shall continuously evaluate the Bureau’s response and return to crowd stewardship techniques, when feasible.
7. Crowd Control.
- 7.1. If crowd behavior continues to escalate after employing intervention strategies and there is *increased and widespread* behavior that presents a clear and present danger that threatens the public safety, peace, or order, the IC may adjust crowd tactics to adequately respond.
 - 7.2. The Bureau may employ crowd control strategies in an attempt to de-escalate and/or prevent further unlawful or threatening behavior by restoring public safety, peace, and order.
 - 7.3. *Riot Declaration.*
 - 7.3.1. When the crowd (consisting of six or more persons) engages in tumultuous and violent conduct that creates a grave risk of causing public alarm, the IC may declare a riot.
 - 7.4. *Crowd Dispersal.*
 - 7.4.1. Pursuant to City Code, the IC is authorized to close an area in the event of an emergency. An emergency includes a riot.
 - 7.4.2. Pursuant to ORS §131.675, the IC may order a crowd to disperse when five or more persons are unlawfully assembled.
 - 7.4.2.1. Before giving the order to disperse, the IC shall consider:
 - 7.4.2.1.1. Whether dispersal unduly endangers the public, officers, or participants in the crowd;

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- 7.4.2.1.2. If there are other means available to protect the public, officers, and participants in the crowd from a clear and present danger that threatens the public safety, peace, or order; and
 - 7.4.2.1.3. Which dispersal tactics and/or type of tools are proportional and necessary based on the circumstances.
 - 7.4.2.2. Before taking police action to disperse the crowd, and when feasible, members shall issue a minimum of two warnings at reasonable intervals to allow the crowd to comply.
 - 7.4.2.2.1. Members shall take reasonable action to accommodate disabilities when issuing or enforcing orders to disperse.
 - 7.4.2.2.2. When time and circumstances permit, members shall provide detailed guidance regarding the direction in which the crowd may disperse (e.g., street or intersection names, landmarks, etc.), while keeping in mind that event participants may not know cardinal direction or street names.
8. Use of Force.
- 8.1. When the Bureau declares a riot and orders the crowd to disperse, and the crowd does not heed repeated warnings, and no reasonable alternative is apparent, the IC may authorize the use of force, as permitted by Directive 1010.00, Use of force, this policy, and the IAP.
 - 8.1.1. Members shall only use less lethal force for crowd control at the direction of the IC/CMIC and, when applicable avenues of escape (i.e., clear path or route) are available to the crowd.
 - 8.1.2. The IC shall continuously evaluate the incident and adjust the Bureau’s tactics, ensuring that its response is proportional to threat posed by the crowd and de-escalating and employing intervention or stewardship tactics, when feasible.
 - 8.2. Members shall not use the following less lethal force options for crowd control, unless otherwise permitted by law or policy:
 - 8.2.1.1. Conducted Electrical Weapon (CEW).
 - 8.2.1.2. Kinetic impact projectiles, unless deadly force is authorized.
 - 8.2.1.3. Chemical incapacitants.
 - 8.2.1.4. Canines.
 - 8.2.1.5. Tear gas, unless:
 - 8.2.1.5.1. The use is objectively reasonable by law enforcement to:
 - 8.2.1.5.1.1. Defend against a threat to life or serious bodily injury to any person, including any peace officer; or
 - 8.2.1.5.1.2. Bring an objectively dangerous and unlawful situation safely and effectively under control;
 - 8.2.1.5.2. A commanding officer authorizes the use of tear gas;
 - 8.2.1.5.3. De-escalation techniques or other alternatives to force have been attempted, when reasonable, and failed; and
 - 8.2.1.5.4. The Bureau has done the following, in the following order:
 - 8.2.1.5.4.1. Announced the Bureau’s intent to use tear gas;

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- 8.2.1.5.4.2. Allowed sufficient time for persons to evacuate the area; and
- 8.2.1.5.4.3. Announced a second time, immediately before using the tear gas, the agency’s intent to use tear gas.

8.3. While the previous section restricts the use of the following weapons for crowd control (i.e., indiscriminate use) in most circumstances, members *may* use the following KIPs and chemical incapacitants *on an individual person* in a crowd setting *if* the person is engaged in conduct otherwise justifying the use of force under state law and Bureau policy.

- 8.3.1. Handheld aerosol restraints; and
- 8.3.2. Non-chemical payload impact munitions.

8.4. Additional Requirements for Handheld Aerosol Restraint and Non-Chemical Impact Munition Use:

- 8.4.1. Members shall minimize the incidental impact on bystanders, journalists, and unintended targets;
- 8.4.2. Members shall not use handheld aerosol restraints or non-chemical impact munitions on persons engaged in passive resistance;
- 8.4.3. Members shall not deploy non-chemical impact munitions in a manner that intentionally targets the head of a person, unless the person is engaged in conduct that otherwise justifies the use of deadly physical force under state law and Bureau policy.

8.5. Cleanup Requirements.

- 8.5.1. Following the use of tear gas or KIPs, members shall, within a reasonable time of use of the tools and weapons, clean all visible debris caused by use.

8.6. Prohibited Crowd Control Tactics.

- 8.6.1. Members shall not use the following tools or tactics for crowd control purposes:
 - 8.6.1.1. Fire hoses;
 - 8.6.1.2. Sound trucks for purposes other than issuing announcements and warnings;
- 8.6.2. Members shall not intentionally contact crowd members or bystanders with motor vehicles.
 - 8.6.2.1. In circumstances where a crowd surrounds a member’s vehicle and poses an imminent risk of serious injury or death to the member, members shall act in accordance with their training. The member’s actions should be proportional to the threat they encounter.
 - 8.6.2.1.1. Members shall justify in a report their decision to retreat in the vehicle, in response to an imminent risk of serious injury or death. Members shall consider whether the decision to retreat unnecessarily exposes a member(s) of the public to possible injury or death.

9. Medical Aid.

- 9.1. Members shall follow all post-force medical aid procedures set forth in Directive 630.50, Medical Aid.

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- 9.2. When members use chemical incapacitants, tear gas, or KIPs in a crowd, the IC shall make efforts to notify emergency rooms in the vicinity of the type of aforementioned weapon or tool used.
 - 9.3. When using chemical incapacitants, tear gas, KIPs, or electronically amplified noise-producing equipment and when safe to do so, members shall:
 - 9.3.1. Attempt to take injured persons to safety or allow injured persons to seek medical help;
 - 9.3.2. Allow emergency medical services to reach injured persons; and
 - 9.3.3. Take reasonable action to accommodate disabilities when issuing or enforcing orders to disperse.
10. Mass Detentions and Mass Arrests.
- 10.1. Generally, the Bureau cannot practically accomplish mass detentions or arrests with standard detention and arrest procedures. Mass detentions and arrests require a specialized response and are most often associated with an unlawful assembly that constitutes a breach of the peace or presents a clear and present danger that threatens the public safety, peace, or order.
 - 10.2. The IC must authorize any mass detentions or mass arrests.
 - 10.2.1. The IC may only authorize mass arrests when there is probable cause to believe that the subjects of mass arrests have committed a criminal offense.
 - 10.2.2. The IC may only authorize mass detentions when there is reasonable suspicion to believe that the targets of mass detention have committed a criminal offense.
 - 10.3. Before authorizing mass detention or mass arrest, the IC shall consider whether:
 - 10.3.1. Other, less intrusive tactics are available to stop or investigate the criminal activity;
 - 10.3.2. Whether sufficient officers and resources are available to expeditiously investigate persons who are detained or process persons who are arrested;
 - 10.3.3. Whether they (the IC) reasonably believe the group is functioning as a unit; and
 - 10.3.4. Whether they have individualized reasonable suspicion (mass detention) or individualized probable cause (mass arrest) for each person in the group to be detained or arrested.
 - 10.4. Failure to comply with an order to disperse is not a crime and shall not be the basis for a mass detention.
 - 10.5. Legal Observers and Members of the Media.
 - 10.5.1. Members shall not detain or arrest legal observers or members of the media solely for their role in observing, capturing, and/or reporting on events.
 - 10.5.2. Members shall not interfere with media or legal observers performing their respective functions; however, media and legal observers are not exempt from arrest for their own criminal conduct.

***Please Note: This is a working draft of Directive 0635.10. 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.

11. Seizure of Objects Capable of Use as Dangerous or Deadly Weapons.

11.1. Members shall act in accordance with Portland City Code 14C.30.040 and Directive 0650.00, Search, Seizures, and Inventories, as it relates to seizing objects that are capable of use as dangerous or deadly weapons.

12. Video and Photographic Documentation.

12.1.1. The Bureau may stream events to City facilities by live video feed to provide situational awareness to the IC.

12.1.1.1. Pursuant to ORS 181A.250, the Bureau or IC shall not authorize recording or photographing events solely for the purposes of monitoring, collecting, or maintaining information about individuals or groups based solely on their political; religious; or social views, associations, or activities.

12.1.1.2. When ordered by the IC to record criminal activity, members shall act in accordance with Directives 640.02, Photography and Digital Imaging, and 660.10, Property and Evidence Procedures, when photographing persons subject to authorized mass detention or mass arrest.

12.1.1.2.1. The Forensic Evidence Division (FED) shall process recordings and photographs in the following manner:

12.1.1.2.1.1. Provide a copy to the Detectives Division for review to determine what information the Bureau shall maintain as evidence of criminal activity. The Bureau shall retain all evidentiary material in accordance with Directives 0640.02, Photography and Digital Imaging, and 0660.10, Property and Evidence Procedures.

12.1.1.2.1.2. Provide a copy to the City Attorney’s Office (CAO). The CAO shall act in accordance with state records retention laws when determining the disposition of the material(s).

12.1.1.2.1.3. Provide a copy to the District Attorney’s Office, upon request.

12.1.1.2.2. The Bureau shall not retain non-evidentiary material.

13. Member Identification During Events.

13.1. Members shall have, “POLICE” and their first initial and last name *or* a unique identifier assigned by the Bureau affixed to the front and back of their uniform and, when applicable, the back of their tactical helmet.

13.1.1. Members shall not intentionally obscure their identifying information and shall ensure that the information is clearly visible.

13.2. If practical, safe, and tactically feasible, upon request by a member of the public, members shall provide their name and identification number, or, if applicable, their assigned unique identifier to the member of the public.

13.2.1. Members may provide a Bureau-issued business card in lieu of the information in Section 13.2.

13.3. Bureau Identification of Members.

13.3.1. The Bureau shall manage public requests for officer identifying information as set forth in Directive 0312.50, Identification.

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14. Member Responsibilities During Events.

14.1. The IC (or Designee) shall:

- 14.1.1. Oversee the development, dissemination, and implementation of the IAP for the event in accordance with this Directive and ICS;
- 14.1.2. Determine the mission and objectives and consider what crowd tactics are objectively reasonable under the totality of the circumstances;
- 14.1.3. When feasible, attempt to maintain communication, through the PPB Event Liaison, with the Person-in-Charge, or their designee, during event;
- 14.1.4. Approve the use of authorized protective gear;
- 14.1.5. Ensure announcements communicated to the crowd are clear, consistent, lawful, and appropriate for the circumstances. The content and timing of the announcement shall be documented and, if feasible, shall be audio recorded;
- 14.1.6. Consider and ensure the performance of the following before authorizing the use of chemical incapacitants:
 - 14.1.6.1. A riot must be declared, when authorized;
 - 14.1.6.2. Other force options are not likely to change behavior in a timely fashion;
 - 14.1.6.3. Proximity of deployed chemical incapacitants to:
 - 14.1.6.3.1. Hospitals, schools, and convalescent facilities;
 - 14.1.6.3.2. Uninvolved community members;
 - 14.1.6.3.3. Residential areas;
 - 14.1.6.3.4. Freeways or areas with high density traffic; and
 - 14.1.6.3.5. Flammable materials.
 - 14.1.6.4. Weather, environmental, and topographical conditions; and
 - 14.1.6.5. Timing and coordination with other law enforcement agencies.
- 14.1.7. Request additional resources, if there is a need for additional police resources to manage the event.
- 14.1.8. Activate POU, when they determine that there is a need for the specialized unit to assist with the management of the event; and
- 14.1.9. Authorize the deployment of authorized less lethal weapons, when objectively reasonable.

14.2. The Operations Section Chief shall:

- 14.2.1. Assist the IC in determining staffing levels, probable missions, and possible tactical strategies during the planning for the event; and
- 14.2.2. Assign units to specific missions during the event to meet the objectives established by the IC.

14.3. The Detective Division Commander or Supervisor shall:

- 14.3.1. Coordinate with the IC to determine the scale of a mass arrest team response;
- 14.3.2. Assign detectives to assist with any mass arrests;
- 14.3.3. Manage the processing of all arrests pursuant to the Detective Division SOP; and
- 14.3.4. Ensure that all required documentation for arrests is collected.

14.4. Sergeants shall:

- 14.4.1. Verify that all assigned squad members have the proper equipment;

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- 14.4.2. Ensure that squad members are briefed before the start of the event;
- 14.4.3. Communicate orders from the IC or the Operations Section Chief to their squad;
- 14.4.4. Only issue direction that conforms with the IAP and event objectives; and
- 14.4.5. Ensure that squad members act in accordance with the IAP.

14.5. Officers shall:

- 14.5.1. Follow the directions of the sergeant;
- 14.5.2. Act in accordance with the IAP; and
- 14.5.3. Not take independent police action, unless exigent circumstances require immediate action for protecting themselves or others from physical harm.

15. Coordination with Other Agencies.

15.1. The Bureau may request assistance from other law enforcement agencies to sufficiently staff and respond to an event.

- 15.1.1. The Bureau IC, or their designee, shall appropriately brief outside agency personnel before their deployment.
- 15.1.2. The Bureau IC shall maintain the authority to determine tactical objectives; direct the overall police response (all agencies); and determine, when objectively reasonable, how and when to use force to address civil disturbances or riotous behavior and/or disperse the crowd.
- 15.1.3. The Bureau expects assisting agencies to act in accordance with the lawful orders of the Bureau IC; however, their members' conduct is subject to the outside agency's policies and procedures.

15.2. The Bureau shall not:

- 15.2.1. Use a proxy law enforcement agency to use crowd management or control measures that a court or statute has barred the law enforcement agency from using;
- 15.2.2. Act in concert with another law enforcement agency to engage in misconduct barred by court order or statute.

16. Post-Event Reporting and Coordination Requirements.

16.1. The IC (or their designee) shall:

- 16.1.1. When applicable, write an overall police report that describes major decision-making during the event.
- 16.1.2. Write an After Action in accordance with Directive(s) 0905.00, Non-Force After Action Reporting, or 0910.00, Use of Force Reporting, Review, and Investigation.
 - 16.1.2.1. If the IC authorizes mass detention or mass arrest during the event, they shall document:
 - 16.1.2.1.1. The criminal activity that gave rise to the authorization, including a brief description of the information relied on to conclude there was reasonable suspicion or probable cause to issue the authorization;
 - 16.1.2.1.2. Any alternatives they considered before determining that a mass detention or mass arrest was appropriate;
 - 16.1.2.1.3. How the mass detention or mass arrest affected public safety and the safety of the group detained or arrested;

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- 16.1.2.1.4. Any announcements made to the group detained or arrested, either before or after the detention/arrest, including the manner in which the announcements were communicated to the group; and
- 16.1.2.1.5. What resources the Bureau deployed to assist in expediting the investigation or processing of the persons who were detained or arrested.
- 16.1.3. When feasible, review any uses of force by other agencies’ personnel as part of the overall incident after action report;
- 16.1.4. Complete the overall event incident report within of the conclusion of the event and, if necessary, supplement the report as additional evidence becomes available.
- 16.1.5. Write an overall police report that describes the major decisions made by the police during the incident in accordance with Directive 0900.00, General Reporting Guidelines;
- 16.1.6. Ensure all other applicable pertinent reports are timely submitted as required by Directive 0900.00, General Reporting Guidelines, and 1010.00, Use of Force; and
- 16.1.7. Hold a formal debrief of the event to discuss the overall plan, tactics, staffing and areas of improvement. The debrief should include key supervisory member participants in the event.
- 16.2. The Detective Division Commander or Supervisor shall:
 - 16.2.1. Ensure coordination with the District Attorney’s Office or relevant prosecutor when arrests are made.
- 16.3. Squad Supervisor Reporting and Incident Review Responsibilities.
 - 16.3.1. At the end of the event, the lead supervisor of each squad that took police action shall conduct a debriefing of the incident with their personnel and document it in their police report.
- 16.4. Force After Action Supervisor Responsibilities.
 - 16.4.1. Within 72 hours of the event, the assistant supervisor, or a designated alternate supervisor, of each squad shall write an after action of any force used by the squad in accordance with Directive 0910.00, Use of Force Reporting, Review, and Investigation, during the incident. This after action shall be routed to the IC. Within 72 hours of receipt, the IC shall supplement their overall event incident report with additional evidence gathered from these after action reports.
 - 16.4.1.1. Supervisors shall evaluate use of force for compliance with this directive; Directive 1010.00, Use of Force; and any other applicable directives, operative IAPs, or other orders.

Provide feedback [here](#).

0635.10 Crowd Management/Crowd Control
Portland Police Bureau Response Public Order Events

Refer:

- ORS 131.675 Dispersal of Unlawful or Riotous Assemblies
- ORS 161.015 General Definitions (1) (“Dangerous Weapon”)
- ORS 166.220 Unlawful Use of Weapon
- ORS 181A.250 Specific Information Not to be Collected or Maintained
- ORS 181A.708 Use of Chemical Incapacitants, Kinetic Impact Projectiles and Sound Devices
- ORS 181A.710 Use of Other Law Enforcement Agencies to Engage in Barred Conduct
- Oregon Administrative Rules 166-200-0405(5) and 166-200-0100(68)
- ~~ORS § 181.575 Specific Information Not to be Collected or Maintained~~
- ~~ORS § 131.675 Dispersal of Unlawful or Riotous Assemblies~~
- Portland City Code 14C.30.010, Authority to Restrict Access to Certain Areas
- Portland City Code 14C.30.020, Other Police Officers Authorized to Arrest, Cite, or Take Other Enforcement Action for Violations of City Code Provisions
- Portland City Code 14C.30.040, Seizure and Disposition of Weapons
- Portland City Code 20.12.200, Trespassing and Areas Closed to the Public
- Portland City Code 20.12.265, Park Exclusions
- DIR 3440312.50, Identification
- DIR 0344.05, Bias-Based Policing/Profiling Prohibited
- DIR ~~6350635~~.20, Community Member Observation of Police
- ~~DIR 660~~DIR 0640.02, Photography and Digital Imaging
- DIR 0650.00, Search, Seizures, and Inventories
- DIR 0660.10, Property and Evidence ~~Procedure~~Procedures
- DIR ~~7000700~~.00, Bureau Response to All-Hazards Using the National Incident Management System (NIMS) ~~and Incident Command System (ICS)~~
- DIR ~~9000900~~.00, General Reporting Guidelines
- DIR ~~9050905~~.00, Non-Force After Action Reporting
- DIR 0910.00, Use of Force Reporting, Review, and Investigation
- DIR 1010.00, Use of Force
- DIR 1015.00, Less Lethal Weapons and Tools
- Operations Branch, Standard Operating Procedure #15: Mobile Field Force
- Forensic Evidence Division, Standard Operating Procedure: Video/Photographic Evidence Collected in Response to Civil Disturbance or Crowd Management/Control Operations and the Disposition of Such Video/Photographs

Definitions:

- Chemical Incapacitant: The following, together or separately:
 - (i) Handheld or launched munitions and devices specifically designed to cause temporary pain, temporary irritation, temporary disruption of vital processes, temporary incapacitation, temporary disability or permanent harm through the toxic properties of toxic chemicals, or their precursors, that would be released as a result of the employment of the handheld or launched munitions and devices; and
 - (ii) Any equipment specifically designed for use

directly in connection with the employment of handheld or launched munitions and devices as described in subparagraph (i) of this subparagraph. “Chemical incapacitant” includes handheld and launched chemical munitions, but does not include tear gas.

- Civil Disobedience:- A non-violent form of protest or resistance to obeying certain laws, demands or commands of a government.
- Civil Disturbance:- An unlawful assembly that constitutes a clear and present danger of riot, disorder, interference with traffic upon the public streets or when another immediate threat to public safety, peace or order appears.
- Crowd Control: -Law enforcement tactics and strategies used in response to ~~a pre-planned or spontaneous~~ an event, activity, or occurrence that to effect or influence a crowd to comply with a lawful order, when the event has become a civil disturbance ~~and or~~ riot. Crowd control may ~~require~~ include mass arrests, dispersal of the crowd and/or arrests, orders, the use of less lethal weapons, or other tactics that may be necessary to preserve life or safety.
- Crowd Management: ~~Encompasses law~~ Intervention: Law enforcement ~~management, intervention, and control strategies when responding to all forms of public assemblies and gatherings. Also refers specifically to~~ strategies and tactics ~~employed~~ used, before, riot declaration, to de-escalate the crowd, or prevent or isolate disruptions or unlawful activity during, ~~and after a gathering for the purpose of maintaining the event’s an otherwise~~ lawful activities. ~~These could~~ event, Crowd intervention may include event planning, pre-communication with event ~~contact with group leaders, information gathering~~ participants during the event, individual arrests targeting persons engaged in unlawful behavior, and other ~~mean~~ tactics that de-escalate crowd behavior and minimize disruption of those lawfully exercising their rights.
- Crowd Management: A public security practice in which crowds are managed to prevent the outbreak of crowd rushes, affrays, fights or riots, or in which an assembly, protest or demonstration is dispersed. This is a state law term that defines when certain weapons, tools, and proxy law enforcement use is restricted by state law. For this directive, crowd management encompasses crowd monitoring, crowd intervention, and crowd control.
- Crowd Management Incident Commander (CMIC): -For ~~the purposes of~~ this Directive, a command member who has received special training in crowd ~~management/crowd~~ stewardship, intervention, and control. – The Chief of Police will designate a command staff member to serve as the CMIC for every major ~~demonstration and/or special~~ public order event.- This position possesses the overall responsibility for managing the ~~demonstration~~ event by establishing objectives, planning strategies, and implementing tactics in accordance with this Directive and Directive ~~7000~~ 700.00, National Incident Management System (NIMS) and Incident Command System (ICS). -This position reports to the Assistant Chief of Operations during ~~demonstration~~ events.
- ~~Demonstration (or Protest): A lawful assembly of persons who have organized primarily to exercise their First Amendment right to express political or social doctrine views and attract public attention. Planned or spontaneous demonstrations include, but are not limited to, the distribution of literature, displaying of banners, vigils, rallies, marches, strikes or other~~

similar activity (e.g., event, concert, festival, street theater, etc.). Lawful demonstrations can become civil disturbances.

- ~~Freedom of Speech: The right to speak, associate, assemble, and petition the government; speech that is protected by the First Amendment to the United States Constitution and Article I, sections 8 and 26 of the Oregon Constitution. For the purposes of this Directive, the rights issuing from both the federal and state Constitutions are collectively referred to as First Amendment rights.~~
- Crowd Stewardship: Law enforcement review and tracking of public order events to determine what, if any, police presence is needed to facilitate the lawful expression of First Amendment Rights while preserving public safety. Crowd stewardship may include: event planning, communicating with participants before and during the event, information gathering and sharing, observing the event for criminal activity, deciding for or against visible police presence during the event, and other approaches.
- Feasible: When time and safety allow for a particular action.
- Incident Action Plan (IAP): A proposal that provides a concise and consistent means of capturing and communicating overall incident. An Incident Commander-approved document that defines the operational period, priorities, objectives and strategies for both operational and support activities, strategies, and tactics for an event or incident, as well as the response strategy defined by incident command during response planning.
- Incident Commander (IC): -The individual person responsible for all incident activities, including the development of developing strategies and tactics and the ordering and release of monitoring resources.- The IC has the overall authority and responsibility for conducting incident operations and is responsible for the management of managing all incident operations at the incident site.
- Incident Command System (ICS): A standardized approach to the command, control, and coordination of on-scene management.
- Kinetic Impact Projectile: All non-lethal, less-lethal, or semi-lethal projectiles, including, but not limited to rubber and plastic bullets, beanbag rounds, sponge rounds, and pellet rounds.
- Mass Arrest: The tactic of simultaneously arresting, in one action, numerous people in a short amount of time during a crowd management event, with the intent of taking them into custody or issuing them criminal citations.
- Mass Detention: The tactic of simultaneously detaining, in one action, numerous people during a crowd management event for a cursory investigation.

- Mobile Field Force (MFF): Sworn members, who are trained in basic crowd control tactics and techniques, organized into a squad and deployed to assist in ~~the crowd~~ management ~~of a crowd~~.
 - Operations Section Chief:- A member, designated by the CMIC, who develops and implements strategy and tactics to carry out incident objectives. -The designated member organizes, assigns, and supervises the tactical response resources.
 - ~~Passive Resistance: A person's non-cooperation with a member that does not involve violence or other active conduct by the individual.~~
 - Persons-In-Charge: -The person(s) designated by ~~a demonstration~~ an event organizer or permit holder to act on behalf of, and with the authority of, the ~~demonstration~~ event organizer or permit holder.
 - Portland Police Bureau DemonstrationEvent Liaison:- A Bureau member who has been designated by the IC as the primary contact for communication with the ~~demonstration's~~ event's Person-In-Charge to police.
 - Rapid Response Team (RRT)-Public Order Event: A lawful assembly of a large number of people. Generally, persons primarily organize to exercise their First Amendment right to express political or social views and influence public opinion; however, these events may include the assembling of people to participate in a social or community event. Events can be planned or spontaneous and may include, but are not limited to, distributing literature, displaying banners, assembling, marching, picketing, participating in festivals or concerts, or other similar activity.
 - Public Order Unit (POU): The Bureau's all-hazard team of members who are specially trained to assist in the response to ~~manmade~~ human-made/natural disasters and other emergency management situations which include, but are not limited to, the ~~management~~ stewardship and control of crowds through various tactics and techniques.
 - Riot: Six or more persons engaging in tumultuous and violent conduct and thereby intentionally or recklessly creating a grave risk of causing public alarm, ~~excluding persons who are engaged in passive resistance.~~
- ~~Special Event: Generally, a non-routine activity within a community that brings together a large number of people.~~
- Squad: A group of members tasked with accomplishing certain goals and missions. A minimum of one sergeant shall be assigned to each squad. -The maximum span of control is ~~twelve~~ 1-7 members per ~~sergeant~~ supervisor. (ICS refers to this group as a "strike team")~~).~~
 - Tear Gas: Oleoresin capsicum or orthochlorobenzalmalononitrile, or other similar chemicals meant to accomplish the same effect, administered by any shell, cartridge, or bomb capable

of being discharged or exploded, when the discharge or explosion will cause or permit the release or emission of the chemicals.

Policy:

- ~~1. The purpose of this Directive is to provide guidance for demonstrations, special events, the managing of crowds during demonstrations, and controlling crowds during civil disturbances.~~
- ~~2. Freedom of speech, association, assembly, and the right to petition the government are subject to reasonable restrictions on the time, place, and manner of expression; the content of the speech does not provide the basis for imposing limitations on First Amendment rights.~~
- ~~1. This Directive establishes procedures for the Bureau's response to public order events ("events").~~
- ~~2. The Portland Police Bureau recognizes that both the City importance of Portland has a protecting First Amendment rights and the tradition of exercising free speech and assembly. It is in the responsibility and priority City of the Portland Police. The Bureau not to unduly impede the exercise of First Amendment rights and to provide for the safe and is committed to respecting lawful assembly and expression of speech, while also maintaining the public safety, peace, and order.~~
- ~~3. The Bureau follows national best practices among the principles of crowd monitoring, crowd intervention, and crowd control. Absent immediate safety concerns, the Bureau begins with crowd monitoring and prioritizes event participant engagement and promoting the crowd to self-regulate.~~
- ~~4. While the First Amendment protects freedom of speech, it does not protect criminal acts. The Bureau has a responsibility to protect public safety and order. Amaintain peace and order. The Bureau recognizes that a police response that impedes otherwise protected speech must be narrowly tailored to serve a significant government interest. Events may simultaneously include persons lawfully assembling and expressing speech, and persons unlawfully committing crimes. The Bureau must assess the totality of the circumstances to determine whether and to what extent police action is needed.~~

~~While~~

Procedure:

- ~~3. the First Amendment provides broad protections for the expression of speech, it does not provide protection for criminal acts including, but not limited to, riot, disorder, interference with traffic upon the public streets, or other immediate threats to public safety, peace or order.~~
- ~~4. The Bureau recognizes that demonstrations and events are dynamic in nature. Accordingly, members will monitor the crowd throughout the event to assess the level of risk posed to both demonstrators and the public at large, with the goal of minimizing potential violence, injury or damage to property. Member response should be commensurate to overall crowd behavior, and members should differentiate between groups or individuals who are engaging in criminal behavior or otherwise posing a threat to the safety of others and those in the~~

~~crowd who are lawfully demonstrating. Members will strive to maintain a diplomatic presence to dissuade participants from engaging in civil disturbance and to encourage crowd self-monitoring.~~

1. Core Principles.

1.1. Bureau members shall respect the First Amendment rights of all persons and protect the safety of persons assembled to exercise their rights.

When

- ~~5. If a demonstration becomes a civil disturbance, the Bureau has a responsibility to reasonably protect public safety and restore peace and order. The preferred police response is one of crowd management rather than crowd control. The Bureau should employ only objectively reasonable crowd management and/or crowd control tactics with the intent to de-escalate the situation. If there is an escalation to a civil disturbance that is no longer isolated to individuals or small groups, members shall adjust their tactical response to adequately resolve the incident in an attempt to restore safety, peace and order.~~
- ~~6. All members are expected to conduct themselves in a professional manner when interacting with persons involved with demonstrations and special events. Members shall identify themselves by wearing a visible name badge or identification number at all times. A member's communication with members of the crowd will remain content neutral.~~

Procedure:

- ~~1. Directive 1010.00, Use of Force, governs all uses of force, including in crowd management and crowd control situations.~~
- ~~2. The Bureau shall use the national, standardized and exhaustive system established in the Incident Command System (ICS) to plan and manage significant incidents and events. Members shall refer to Directive 700.00, National Incident Management System (NIMS) and Incident Command System (ICS), for specific guidance regarding incident management.~~
- ~~2.1. When time and circumstances permit and a police response is reasonably anticipated, the IC shall develop an Incident Action Plan (IAP) prior to the start of an incident or event.~~
- ~~3. Communication.~~
- 1.2. The Bureau's goals are to facilitate participants' lawful objectives and protect their right to assemble. Furthermore, where event participants comply with City laws and ordinances, the Bureau shall encourage and support participants' efforts to monitor themselves in an attempt to limit member/police involvement by encouraging and supporting participant efforts to self-regulate and manage their events.
- 1.3. Nothing in this directive relieves members from following other Bureau directives, reporting or investigation requirements, or state or federal law.
- 1.4. Directive 1010.00, Use of Force, governs all uses of force, including force use during events.

- 1.4.1. In accordance with state law, members' force use in crowd control situations is further restricted by requirements in this directive (e.g., the restricted use of certain weapons and tactics for crowd control purposes).
- 1.5. The Bureau shall use the national, standardized, and exhaustive Incident Command System (ICS) to plan and manage events. Members shall refer to Directive 0700.00, Bureau Response to All-Hazards Using the National Incident Management System (NIMS), for specific guidance regarding incident management.
- 1.6. If the Bureau plans to respond to an event, the IC shall develop an Incident Action Plan (IAP) before the start of the event, when feasible.
2. General Guidelines for Planned Events (At Least 24-hour Notice).
- 2.1. The Assistant Chief of Operations and the precinct commander nearest to the event location shall determine whether a planned police response is necessary and the extent of initial staffing needs.
- 2.1.1. Events that are small in crowd size, or for which credible information indicates that there is little concern of criminal activity, civil disobedience, civil disturbance, or riotous behavior, shall generally be managed at the precinct level. The shift supervisor shall serve as the IC and determine precinct staffing needs.
- 2.1.1.1. If crowd behavior escalates to a level that poses a threat to public safety, peace, or order during an event that is being managed by a shift supervisor acting as the IC, the shift supervisor must consult with a CMIC who will then determine if they (the CMIC) should assume command and request additional resources.
- 2.1.2. The Assistant Chief of Operations shall designate a CMIC for events that are anticipated to have a greater critical impact, require a significant police response, and/or have the potential to become a civil disturbance or riot.
- 2.2. In accordance with the ICS, if the IC deems a police response necessary, the IC or designee, shall develop an IAP for the event.
- 2.2.1. If the IC determines that basic Mobile Field Force (MFF) and bicycle units are not sufficient to manage the crowd, the IC shall assign a CMIC to the event.
- 2.2.2. Only an IC or a CMIC may activate the Public Order Unit (POU), mass arrest teams, or detention teams.
- 2.2.2.1. If a shift supervisor is staffing an event as the IC, they shall consult with a CMIC before activating POU.
- 2.2.2.2. Activation of mass arrest or detention requires the IC or CMIC to notify the Detective Division to ensure mass arrest resources are available.
3. General Guidelines for Spontaneous Events (Less Than 24-hour Notice).
- 3.1. Many spontaneous events can be lawful and facilitated with appropriate police assistance. A spontaneous or non-permitted event is not necessarily unlawful, nor does it automatically require a significant police response.
- 3.2. A supervisor at the precinct of occurrence shall respond to the event to determine if a police response is warranted.

3.2.1. If a police response is warranted, the on-scene supervisor shall serve as the IC for the incident and attempt to engage the event organizer in an effort to protect the safety of participants and the public, and to facilitate participants' right to lawfully assemble.

3.2.1.1. If the Sergeant who is the first supervisor on scene of a spontaneous event determines that, within the ICS, they do not have the capacity to solely manage the event, they shall notify their Lieutenant, who may then respond to the scene and assume command after debriefing.

3.2.2. The on-scene supervisor (IC) may contact a POU supervisor, the POU commander, or a CMIC to help determine an appropriate level of response.

3.2.2.1. After consultation, if the IC determines that a higher level of police response is necessary, they shall call in a CMIC to assume command.

3.2.3. If crowd behavior during the event escalates to a level that poses a threat to public safety, peace, or order during an event that is being managed by a shift supervisor, the shift supervisor must consult with a CMIC, who will then determine if they (the CMIC) should assume command.

4. Communication to the Crowd.

4.1. Communication is a critical function during an event. Announcements and warnings serve an informational purpose, but have certain functional distinctions. Generally, the Bureau will strive to directly communicate with event organizers and use amplified audio communications and the PIO to issue announcements and warnings to the crowd for the purpose of decreasing the need for police action.

4.2. Generally, barring emergency circumstances, the Bureau will issue announcements and warnings by using a graduated approach that aligns with its response of crowd stewardship, intervention, or control.

4.3. Announcements.

4.3.1. Announcements are designed to:

4.3.1.1. Convey general information to the crowd in an effort to keep an event lawful;

4.3.1.2. Communicate targeted information to specific persons to provide direction; and

4.3.1.3. Serve as a de-escalation tool by directing and informing the crowd in an attempt to prevent the need for police action or the use of force.

4.3.2. If the crowd or individuals in the crowd do not present a clear and present danger that threatens the public safety, peace or order, members will continue to monitor the crowd and issue announcements, as needed.

4.3.3. When feasible, members shall issue a minimum of two announcements at reasonable intervals to notify the crowd of an impending order or arrest.

4.3.4. When issuing announcements, members should cite specific offenses and violations being committed and caution the crowd that riotous acts will not be permitted and may result in arrest or necessitate the use of force.

4.4. Warnings.

4.4.1. Warnings are designed to:

- 4.4.1.1. Inform person(s) of impending police action (e.g., force); and
- 4.4.1.2. Gain compliance with a lawful order.
- 4.4.2. If the crowd or persons in the crowd engage in criminal activity or behavior that presents a clear and present danger that threatens the public safety, peace or order, members may shift to employing crowd intervention and/or crowd control tactics. If this occurs, members shall, when feasible, issue warnings to the crowd.
- 4.4.3. Pursuant to Directive 1010.00, Use of Force and state law, members shall, when feasible, issue a warning before using force.
- 4.5. Documentation of Announcements and Warnings.
- 4.5.1. Members shall document their issuance of an announcement(s) or warning(s) in an appropriate police report (e.g., date, time, location, announcing member, messages, number of warnings provided, etc.).
- 4.5.1.1. If a member does not issue a warning before using force, the member shall document the reason in their force report.
- 4.6. Amplified Audio Communications.
- 4.6.1. When feasible, members should use a sound truck or another public announcement system to ensure the crowd can hear the Bureau's announcements or supplement warning issuances.
- 4.6.1.1. Announcements and warnings to the crowd should be loud, intelligible, and consistent.
- 4.6.1.1.1. When feasible, a member should position themselves at the back of the crowd to ensure the sound truck communication is sufficiently loud, intelligible, and consistent.
- 4.6.2. Use of a sound truck to issue a force warning does not replace the warning requirement set forth in Directive 1010.00, Use of Force.
- 4.6.3. The Bureau shall not use a sound device (e.g., the sound truck) for crowd management for any purpose other than announcements or warnings.
- 4.6.4. During spontaneous events, members may not have access to a sound truck or another public announcement system, and the PIO may not be present. In these circumstances, members shall act in accordance with this section when operationally possible.
- 4.7. Visual Communication.
- 4.7.1. The PIO shall provide the visual communication of the Bureau's announcements and warnings using social media platforms.
5. Crowd Stewardship.
- 1.1.5.1. Planning and Communication.
- 1.1.1.5.1.1. When a police response is requested or deemed necessary by the Bureau:
- 1.1.1.1.5.1.1.1. The Bureau shall make reasonable efforts to contact and engage in dialogue with known event ~~or demonstration~~ organizers to assist the Bureau in its planning and to develop a shared understanding of the organizers' needs and objectives. Similarly, the Bureau should communicate its

expectations and inform participants on permissible and restricted actions during the event ~~or demonstration.~~

~~4.1.1.2.5.1.1.2.~~ The Bureau, through the PPB ~~Demonstration~~Event Liaison or another designee, shall attempt to maintain communication with known event ~~or demonstration~~ organizers or the Person(s) ~~In~~in-Charge before and during the event. The Liaison shall maintain communications with the IC to keep them apprised of the situation.

~~4.1.1.3.5.1.1.3.~~ The Bureau, through the Public Information Officer (PIO) or another designee, shall communicate through the use of social media and other conventional outlets to keep the public, including the crowd, informed throughout the event. The Bureau shall update its means of communication based on current technology.

~~3.1. When appropriate, members should engage and interact with the crowd in a positive and non-confrontational manner.~~

~~4. Demonstrations and Special Events.~~

~~4.1. Planned Demonstrations and Special Events.~~

~~4.1.1. Where the Bureau learns of an event at least twenty four hours prior to its commencement, the Assistant Chief of Operations and the precinct commander nearest to the event location shall determine if the event should be staffed using the precinct's resources or city-wide Bureau resources.~~

~~4.1.1.1. Events that are small in crowd size, or for which credible information indicates that there is little concern of civil disturbance, shall generally be managed at the precinct level and staffed by the shift supervisor, who shall serve as the IC.~~

~~4.1.1.1.1. If crowd behavior escalates to a level that poses a threat to public safety, peace or order during an event that is being managed by a shift supervisor acting as the IC, the shift supervisor must consult with a CMIC who will then determine if they (the CMIC) should assume command and request additional resources.~~

~~4.1.1.2. Events that are anticipated to have a greater critical impact, require a significant police response, and/or have the potential to become a civil disturbance shall have a CMIC designated by the Assistant Chief of Operations as the IC.~~

5.2. During the Event.

~~4.1.2. The IC shall determine the level of police response, if any is warranted.~~

~~4.1.3. In accordance with the ICS, if the IC deems a police response necessary, the IC, or a designee, should develop an IAP for the demonstration or special event.~~

~~4.1.3.1. If it is determined that basic Mobile Field Force (MFF) and bicycle units are not sufficient to manage the crowd, a CMIC shall be assigned to the event.~~

~~4.1.3.2. Only a CMIC may activate RRT or Mass Arrest teams.~~

~~4.1.3.2.1. If a shift supervisor is staffing an event as the IC, they shall consult with a CMIC prior to activating RRT.~~

~~4.1.3.2.2. Activation of Mass Arrest requires the CMIC to notify the Detective Division to ensure mass arrest resources are available.~~

~~4.2.— Spontaneous Demonstrations.~~

~~4.2.1. Events that the Bureau learns of with less than twenty four hours before the start of the event are deemed spontaneous.~~

~~1.2.1.1. Many spontaneous events can be lawful and facilitated with appropriate police assistance. A spontaneous or non-permitted event is not necessarily unlawful, nor does it automatically require a significant police response.~~

~~4.2.2. A supervisor at the precinct of occurrence shall respond to the event and determine if a police response is warranted.~~

~~4.2.2.1. If a police response is warranted, the on-scene supervisor shall serve as the IC for the incident and attempt to engage the event or demonstration organizer in an effort to facilitate participants' lawful objectives and protect their right to assemble.~~

~~4.2.2.1.1. A Sergeant who is the first supervisor on scene of a spontaneous demonstration shall notify their Lieutenant, who may then respond to the scene and assume command.~~

~~4.2.2.2. The on-scene supervisor (IC) may contact an RRT supervisor, the RRT commander or a CMIC to help determine an appropriate level of response.~~

~~4.2.2.2.1. After consultation, if a higher level of police response is deemed necessary, a CMIC shall be called in and assume command.~~

~~4.2.2.3. If crowd behavior during the event escalates to a level that poses a threat to public safety, peace or order during an event that is being managed by a shift supervisor, the shift supervisor must consult with a CMIC, who will then determine if they (the CMIC) should assume command.~~

~~4.3.— Demonstrations may be broadcast to Bureau facilities by live video feed to provide situational awareness to the IC. In accordance with ORS § 181A.250, the broadcast will not be recorded unless and until a member has reasonable suspicion that a crime is being committed, at which time the member will communicate this information up the chain of command to the IC, who will make the decision whether to authorize recording to commence. If a possible crime is captured on the recording, that recording will be forwarded to Bureau's Detective Division for investigation and the District Attorney's Office, if requested. A copy will also be furnished to the City Attorney's office for the purpose of evaluating civil liability based on crimes charged or arrests made. Pursuant to Oregon Administrative Rules regarding records retention, recordings that do not have evidentiary value or aid in internal investigations shall only be retained by the City Attorney's office for thirty days. The Bureau will not keep a copy of any videos recorded under this Directive, and the IC will not authorize recording for the purposes of monitoring individuals or groups based solely on political associations or religious or social views.~~

~~5.— Police Response to Demonstrations and Special Events.~~

~~5.1.— Prior to a demonstration or event, the IC shall make a determination regarding the appropriate level of police response and the necessary allocation of resources to manage an event. Depending on the potential impact of the crowd (e.g., size, interference with commerce, street and pedestrian traffic, etc.), the Bureau may not need to be involved in the event.~~

~~1.2.1.5.2.1.~~ ~~The priority of the Bureau is to allow demonstration and event participants to self-police and manage their own events. To that end the IC shall continuously~~ monitor the event, weighing the totality of the circumstances to inform the decision to introduce police action to maintain public safety, peace, and order.

~~1.2.1.1.5.2.1.1.~~ When deciding whether to use certain police tactics within a crowd, the IC shall ~~balance~~consider the ~~benefits of such action(s) to maintain public safety, peace~~government interest in intervening and ~~order against the potential~~ impact on the ~~demonstration or event~~ participants' ability to exercise their First Amendment rights.

~~1.2.1.2.5.2.1.2.~~ The IC, or a designee, shall authorize the appropriate level of protective equipment based on several factors ~~to include~~including, but not limited to:

~~1.2.1.2.1.5.2.1.2.1.~~ Member safety,

~~1.2.1.2.2.5.2.1.2.2.~~ Individual and/or group physical resistance,

~~1.2.1.2.3.5.2.1.2.3.~~ The presence of weapons,

~~1.2.1.2.4.5.2.1.2.4.~~ Actual or credible threats or indicators of violent behavior,

~~1.2.1.2.5.5.2.1.2.5.~~ Actual or credible threats or indicators of criminal actions,

and

~~1.2.1.2.6.5.2.1.2.6.~~ The potential impact or perceived effect that appearing in protective gear may have on the crowd.

~~1.2.1.3.5.2.1.3.~~ When ~~practicable~~practical and in an attempt to avoid escalating the situation, the IC should ~~attempt~~strive to position members in protective gear in locations that minimize visibility until deployment is necessary for crowd intervention or control.

6. Crowd Intervention.

~~1.3.6.1.~~ The Bureau recognizes that crowd participation in civil disobedience may be appropriate in certain contexts and circumstances. If crowd behavior escalates and presents a clear and present danger that threatens the public safety, peace, or order, and the event can no longer be effectively managed through a minimal police presence, the IC may adjust crowd tactics to adequately respond.

6.2. During intervention, the Liaison or another IC-designated member shall continue to attempt to maintain communication with the known event organizers or the Person(s)-in-Charge the event.

~~1.4.6.3.~~ When ~~police action~~crowd intervention is necessary, members ~~should endeavor~~shall strive to distinguish between ~~individuals~~persons engaged in criminal behavior ~~and demonstration or event participants who are~~, persons peacefully and lawfully demonstrating, and nonparticipants.

~~The Bureau's assigned Demonstration Liaison, another IC-designated member~~

6.4. The Bureau shall use intervention strategies and tactics, such as individual arrests, in an attempt to de-escalate the situation and prevent further unlawful behavior without interfering with members of the crowd who are lawfully assembling.

4.5.6.5. When feasible, an IC-designated member and/or the member operating the sound truck shall, ~~when feasible, attempt to~~ convey the police action to the crowd via announcements and warnings and attempt to encourage lawful activity.

6.6. The IC shall continuously evaluate the Bureau's response and return to crowd stewardship techniques, when feasible.

7. Crowd Control.

7.1. If crowd behavior continues to escalate after employing intervention strategies and there is *increased and widespread* behavior that presents a clear and present danger that threatens the public safety, peace, or order, the IC may adjust crowd tactics to adequately respond.

7.2. The Bureau ~~shall~~ may employ crowd control strategies in an attempt to de-escalate and/or prevent further unlawful or threatening behavior by restoring public safety, peace, and order.

7.3. Riot Declaration.

7.3.1. When the crowd (consisting of six or more persons) engages in tumultuous and violent conduct that creates a grave risk of causing public alarm, the IC may declare a riot.

7.4. Crowd Dispersal.

7.4.1. Pursuant to City Code, the IC is authorized to close an area in the event of an emergency. An emergency includes a riot.

7.4.2. Pursuant to ORS §131.675, the IC may order a crowd to disperse when five or more persons are unlawfully assembled.

7.4.2.1. Before giving the order to disperse, the IC shall consider:

7.4.2.1.1. Whether dispersal unduly endangers the public, officers, or participants in the crowd;

7.4.2.1.2. If there are other means available to protect the public, officers, and participants in the crowd from a clear and present danger that threatens the public safety, peace, or order; and

7.4.2.1.3. Which dispersal tactics and/or type of tools are proportional and necessary based on the circumstances.

7.4.2.2. Before taking police action to disperse the crowd, and when feasible, members shall issue a minimum of two warnings at reasonable intervals to allow the crowd to comply.

7.4.2.2.1. Members shall take reasonable action to accommodate disabilities when issuing or enforcing orders to disperse.

7.4.2.2.2. When time and circumstances permit, members shall provide detailed guidance regarding the direction in which the crowd may disperse (e.g., street or intersection names, landmarks, etc.), while keeping in mind that event participants may not know cardinal direction or street names.

8. Use of Force.

8.1. When the Bureau declares a riot and orders the crowd to disperse, and the crowd does not heed repeated warnings, and no reasonable alternative is apparent, the IC may authorize the use of force, as permitted by Directive 1010.00, Use of force, this policy, and the IAP.

8.1.1. Members shall only use less lethal force for crowd control at the direction of the IC/CMIC and, when applicable avenues of escape (i.e., clear path or route) are available to the crowd.

8.1.2. The IC shall continuously evaluate the incident and adjust the Bureau's tactics, ensuring that its response is proportional to threat posed by the crowd and de-escalating and employing intervention or stewardship tactics, when feasible.

8.2. Members shall not use the following less lethal force options for crowd control, unless otherwise permitted by law or policy:

8.2.1.1. Conducted Electrical Weapon (CEW).

8.2.1.2. Kinetic impact projectiles, unless deadly force is authorized.

8.2.1.3. Chemical incapacitants.

8.2.1.4. Canines.

8.2.1.5. Tear gas, unless:

8.2.1.5.1. The use is objectively reasonable by law enforcement to:

8.2.1.5.1.1. Defend against a threat to life or serious bodily injury to any person, including any peace officer; or

8.2.1.5.1.2. Bring an objectively dangerous and unlawful situation safely and effectively under control;

8.2.1.5.2. A commanding officer authorizes the use of tear gas;

8.2.1.5.3. De-escalation techniques or other alternatives to force have been attempted, when reasonable, and failed; and

8.2.1.5.4. The Bureau has done the following, in the following order:

8.2.1.5.4.1. Announced the Bureau's intent to use tear gas;

8.2.1.5.4.2. Allowed sufficient time for persons to evacuate the area; and

8.2.1.5.4.3. Announced a second time, immediately before using the tear gas, the agency's intent to use tear gas.

8.3. While the previous section restricts the use of the following weapons for crowd control (i.e., indiscriminate use) in most circumstances, members *may* use the following KIPs and chemical incapacitants *on an individual person* in a crowd setting *if* the person is engaged in conduct otherwise justifying the use of force under state law and Bureau policy.

8.3.1. Handheld aerosol restraints; and

8.3.2. Non-chemical payload impact munitions.

8.4. Additional Requirements for Handheld Aerosol Restraint and Non-Chemical Impact Munition Use:

8.4.1. Members shall minimize the incidental impact on bystanders, journalists, and unintended targets;

8.4.2. Members shall not use handheld aerosol restraints or non-chemical impact munitions on persons engaged in passive resistance;

8.4.3. Members shall not deploy non-chemical impact munitions in a manner that intentionally targets the head of a person, unless the person is engaged in conduct that otherwise justifies the use of deadly physical force under state law and Bureau policy.

8.5. Cleanup Requirements.

8.5.1. Following the use of tear gas or KIPs, members shall, within a reasonable time of use of the tools and weapons, clean all visible debris caused by use.

8.6. Prohibited Crowd Control Tactics.

8.6.1. ~~when it is~~ Members shall not use the following tools or tactics for crowd control purposes:

8.6.1.1. Fire hoses;

8.6.1.2. Sound trucks for purposes other than issuing announcements and warnings;

8.6.2. Members shall not intentionally contact crowd members or bystanders with motor vehicles.

8.6.2.1. In circumstances where a crowd surrounds a member's vehicle and poses an imminent risk of serious injury or death to the member, members shall act in accordance with their training. The member's actions should be proportional to the threat they encounter.

8.6.2.1.1. Members shall justify in a report their decision to retreat in the vehicle, in response to an imminent risk of serious injury or death. Members shall consider whether the decision to retreat unnecessarily exposes a member(s) of the public to possible injury or death.

9. Medical Aid.

9.1. Members shall follow all post-force medical aid procedures set forth in Directive 630.50, Medical Aid.

9.2. When members use chemical incapacitants, tear gas, or KIPs in a crowd, the IC shall make efforts to notify emergency rooms in the vicinity of the type of aforementioned weapon or tool used.

9.3. When using chemical incapacitants, tear gas, KIPs, or electronically amplified noise-producing equipment and when safe to do so, members shall:

9.3.1. Attempt to take injured persons to safety or allow injured persons to seek medical help;

9.3.2. Allow emergency medical services to reach injured persons; and

9.3.3. Take reasonable action to accommodate disabilities when issuing or enforcing orders to disperse.

10. Mass Detentions and Mass Arrests.

10.1. Generally, the Bureau cannot practically accomplish mass detentions or arrests with standard detention and arrest procedures. Mass detentions and arrests require a specialized response and are most often associated with an unlawful assembly that constitutes a breach of the peace or presents a clear and present danger that threatens the public safety, peace, or order.

10.2. The IC must authorize any mass detentions or mass arrests.

10.2.1. The IC may only authorize mass arrests when there is probable cause to believe that the subjects of mass arrests have committed a criminal offense.

10.2.2. The IC may only authorize mass detentions when there is reasonable suspicion to believe that the targets of mass detention have committed a criminal offense.

10.3. Before authorizing mass detention or mass arrest, the IC shall consider whether:

10.3.1. Other, less intrusive tactics are available to stop or investigate the criminal activity;

10.3.2. Whether sufficient officers and resources are available to expeditiously investigate persons who are detained or process persons who are arrested;

10.3.3. Whether they (the IC) reasonably believe the group is functioning as a unit; and

10.3.4. Whether they have individualized reasonable suspicion (mass detention) or individualized probable cause (mass arrest) for each person in the group to be detained or arrested.

10.4. Failure to comply with an order to disperse is not a crime and shall not be the basis for a mass detention.

10.5. Legal Observers and Members of the Media.

10.5.1. Members shall not detain or arrest legal observers or members of the media solely for their role in observing, capturing, and/or reporting on events.

10.5.2. Members shall not interfere with media or legal observers performing their respective functions; however, media and legal observers are not exempt from arrest for their own criminal conduct.

11. Seizure of Objects Capable of Use as Dangerous or Deadly Weapons.

11.1. Members shall act in accordance with Portland City Code 14C.30.040 and Directive 0650.00, Search, Seizures, and Inventories, as it relates to seizing objects that are capable of use as dangerous or deadly weapons.

12. Video and Photographic Documentation.

12.1.1. The Bureau may stream events to City facilities by live video feed to provide situational awareness to the IC.

12.1.1.1. Pursuant to ORS 181A.250, the Bureau or IC shall not authorize recording or photographing events solely for the purposes of monitoring, collecting, or maintaining information about individuals or groups based solely on their political; religious; or social views, associations, or activities.

12.1.1.2. When ordered by the IC to record criminal activity, members shall act in accordance with Directives 640.02, Photography and Digital Imaging, and 660.10, Property and Evidence Procedures, when photographing persons subject to authorized mass detention or mass arrest.

12.1.1.2.1. The Forensic Evidence Division (FED) shall process recordings and photographs in the following manner:

12.1.1.2.1.1. Provide a copy to the Detectives Division for review to determine what information the Bureau shall maintain as evidence of criminal activity. The Bureau shall retain all evidentiary material in accordance with Directives 0640.02, Photography and Digital Imaging, and 0660.10, Property and Evidence Procedures.

12.1.1.2.1.2. Provide a copy to the City Attorney's Office (CAO). The CAO shall act in accordance with state records retention laws when determining the disposition of the material(s).

12.1.1.2.1.3. Provide a copy to the District Attorney's Office, upon request.

12.1.1.2.2. The Bureau shall not retain non-evidentiary material.

13. Member Identification During Events.

13.1. Members shall have, "POLICE" and their first initial and last name or a unique identifier assigned by the Bureau affixed to the front and back of their uniform and, when applicable, the back of their tactical helmet.

13.1.1. Members shall not intentionally obscure their identifying information and shall ensure that the information is clearly visible.

~~1.6.~~13.2. If practical, safe, and tactically feasible to do so, upon request by a member of the public, members shall provide their name and identification number, or, if applicable, their assigned unique identifier to the member of the public.

13.2.1. Members may provide a Bureau-issued business card in lieu of the information in Section 13.2.

13.3. Bureau Identification of Members.

13.3.1. The Bureau shall manage public requests for officer identifying information as set forth in Directive 0312.50, Identification.

2.14. Member Responsibilities During ~~Demonstrations~~Events.

~~2.1.~~14.1. The IC (or Designee) shall:

~~2.1.1.~~14.1.1. Oversee the development, dissemination, and implementation of the IAP for the ~~demonstration~~event in accordance with this Directive and ICS;

~~2.1.2.~~14.1.2. Determine the mission and objectives and consider what crowd tactics are objectively reasonable under the totality of the circumstances;

~~2.1.3.~~14.1.3. When feasible, attempt to maintain communication, through the PPB ~~Demonstration~~Event Liaison, with the Person-~~In~~-Charge, or their designee, during ~~demonstration~~event;

~~2.1.4.~~14.1.4. ~~Authorize~~Approve the use of authorized protective gear;

~~2.1.5.~~14.1.5. Ensure announcements communicated to the crowd are clear, consistent, lawful, and appropriate for the circumstances. The content and timing of the announcement shall be documented and, if feasible, shall be audio recorded;

~~5.2.~~The CMIC shall (in addition to the IC responsibilities):

~~5.2.1.~~Activate RRT, when deemed necessary; and

~~14.1.6.~~Consider and ensure the performance of the following before authorizing the use of chemical incapacitants:

- 14.1.6.1. A riot must be declared, when authorized;
14.1.6.2. Other force options are not likely to change behavior in a timely fashion;
14.1.6.3. Proximity of deployed chemical incapacitants to:
14.1.6.3.1. Hospitals, schools, and convalescent facilities;
14.1.6.3.2. Uninvolved community members;
14.1.6.3.3. Residential areas;
14.1.6.3.4. Freeways or areas with high density traffic; and
14.1.6.3.5. Flammable materials.
14.1.6.4. Weather, environmental, and topographical conditions; and
14.1.6.5. Timing and coordination with other law enforcement agencies.
14.1.7. Request additional resources, if there is a need for additional police resources to manage the event.
14.1.8. Activate POU, when they determine that there is a need for the specialized unit to assist with the management of the event; and
~~2.1.6.14.1.9. Authorize the deployment of riot control agents and/or special impact munitions authorized less lethal weapons, when objectively reasonable, to address civil disturbance and crowd dispersal.~~
- ~~2.2.14.2.~~ The Operations Section Chief shall:
~~2.2.1.14.2.1.~~ Assist the IC in determining staffing levels, probable missions, and possible tactical strategies during the planning for the event; and
~~2.2.2.14.2.2.~~ Assign units to specific missions during the event to meet the objectives established by the IC.
- ~~2.3.14.3.~~ The Detective Division Commander or Supervisor shall:
~~2.3.1.14.3.1.~~ Coordinate with the IC to determine the scale of ~~the~~ mass arrest team response;
~~2.3.2.14.3.2.~~ Assign detectives to assist with any mass arrests;
~~2.3.3.14.3.3.~~ Manage the processing of all arrests pursuant to the Detective Division SOP; and
~~2.3.4.14.3.4.~~ Ensure that all required documentation for arrests is collected.
- ~~2.4.14.4.~~ Sergeants shall:
~~2.4.1.14.4.1.~~ Verify that all assigned squad members have the proper equipment;
~~2.4.2.14.4.2.~~ Ensure that squad members are briefed ~~prior to before~~ the start of the event; ~~and~~
14.4.3. Communicate orders from the IC or the Operations Section Chief to their assigned squad to ensure;
14.4.4. Only issue direction that conforms with the mission IAP and event objectives are appropriately executed; and
~~2.4.3.14.4.5.~~ Ensure that squad members act in accordance with the IAP.
- ~~2.5.14.5.~~ Officers shall:
~~14.5.1.~~ Follow the directions of the sergeant;
~~2.5.1.14.5.2.~~ Act in accordance with the IAP; and
~~2.5.2.14.5.3.~~ Not take independent police action, unless exigent circumstances require immediate action for protecting themselves or others from physical harm.

3.15. Coordination with Other Agencies.

~~3.1.15.1.~~ The Bureau may request assistance from other law enforcement agencies to sufficiently staff and respond to ~~a demonstration or special an~~ event.

~~3.1.1.15.1.1.~~ The Bureau IC, or their designee, shall appropriately brief outside agency personnel ~~prior to before~~ their deployment.

~~3.1.2.15.1.2.~~ The Bureau IC shall maintain the authority to determine tactical objectives; direct the overall police response (all agencies); and determine, when objectively reasonable, how and when ~~to use force may be used and when to deploy less lethal munitions~~ to address civil ~~disturbance~~ disturbances or riotous behavior and/or disperse the crowd.

~~3.1.3.15.1.3.~~ The Bureau expects assisting agencies to act in accordance with the lawful orders of the Bureau IC; however, their members' conduct is subject to the outside agency's policies and procedures.

~~3.2.1.1. Announcements and Warnings.~~

~~5.3. When feasible, members shall make loud, intelligible and consistent announcements and warnings to the crowd.~~

~~3.2.1.1.1.1. Announcements are designed to:~~

~~3.2.1.1.1.1.1.1. Convey general information to the crowd in an effort to keep an event lawful;~~

~~5.3.1. Communicate targeted information to specific individuals to provide direction; and~~

~~3.2.1.2.1.1.1.1.1. Serve as a de-escalation tool by directing and informing the crowd in an attempt to prevent the need for police action or the use of force.~~

~~5.4. Civil Disturbance.~~

~~5.4.1. Warnings are designed to allow the crowd time to comply with orders given from police members. When tactically feasible and time permits, members shall issue a minimum of two warnings at reasonable intervals to notify the crowd of an impending order.~~

~~5.4.2. When issuing warnings, members should cite specific offenses and violations being committed and caution the crowd that these acts of civil disturbance will not be permitted and can result in arrest or necessitate the use of force. An IC-designated member and/or the member operating the sound truck shall give clear directions in an attempt to reduce or eliminate the necessity for force. Members shall issue a minimum of two warnings to alert the crowd of possible impending arrest or force, unless doing so would present a danger to the member(s) or others.~~

~~5.4.3. Members shall document the warnings in an appropriate police report, and if feasible, ensure the audio (e.g., date, time, announcing member, messages, etc.) confirmation received by identified staff on other end.~~

~~3.3.1.1. Crowd Dispersal.~~

~~5.5. Pursuant to ORS §131.675, the IC may order the crowd dispersed when a demonstration or special event becomes a civil disturbance.~~

~~5.5.1. Before giving the order to disperse, the IC must consider whether dispersal unduly endangers the public, police or participants in the crowd.~~

~~5.5.2. Prior to taking police action to disperse the crowd, and when tactically feasible and time reasonably permits, members shall issue a minimum of two warnings at reasonable intervals to allow the crowd to comply.~~

~~5.6. When the crowd has been ordered to disperse and does not heed repeated warnings, and no reasonable alternative is apparent, riot control agents (RCAs) and/or special impact munitions may be deployed to prevent violence, injury or property damage and to avoid a greater application of force.~~

~~5.6.1. These weapons shall only be used at the direction of the CMIC and when avenues of escape (i.e., clear path or route) are available to the crowd. Pursuant to this policy and Directive 1010.00, Use of Force, members must issue warnings prior to deployment.~~

~~5.7. Force shall only be used in accordance with Directive 1010.00, Use of Force.~~

~~3.4.1.1. Prohibited Crowd Control Tactics.~~

~~5.8. Members shall not take the following actions to *disperse* a crowd:~~

~~5.8.1. Use fire hoses;~~

~~5.8.2. Deploy Canine Units; and~~

~~5.8.3. Use a conducted electrical weapon (CEW).~~

~~5.9. Members shall not deploy specialty impact munitions or aerosol restraints indiscriminately into a crowd.~~

~~3.5.15.2. The Bureau shall not use mounted patrol units (MPUs) against passively resistant demonstrators who are sitting or lying down.;~~

~~5.10. Motor vehicles shall not be intentionally brought into contact with protestors (i.e., to push or strike).~~

~~6. Detentions.~~

~~6.1. The failure to comply with the lawful order to disperse can transform otherwise legal conduct into criminal conduct if the protest has been determined to be a civil disturbance by the IC or if the crowd has left from a certain location. Members may be justified in detaining individuals engaged in civil disturbance after providing a lawful order to disperse followed by a reasonable opportunity to comply with that order.~~

~~7. Arrests.~~

~~7.1. Absent exigent circumstances, arrests should only be made when authorized by the IC.~~

~~7.2. Careful consideration should be given to the timing, location, and method of the arrest and resources available.~~

~~7.3. To effect arrests, members must be able to articulate the individualized probable cause for the arrest of each person.~~

~~7.4. Media or legal observers will not be arrested solely for their role in observing, capturing, and/or reporting on demonstrations or events. Members will not interfere with media or legal observers performing their respective functions, so long as they are performed in a safe manner and in compliance with police orders. However, such persons must comply with all police orders and may be subject to arrest for failure to do so.~~

~~15.2.1. Use a proxy law enforcement agency to use crowd management or control measures that a court or statute has barred the law enforcement agency from using;~~

~~15.2.2. Act in concert with another law enforcement agency to engage in misconduct barred by court order or statute.~~

4.16. Post-Event Reporting and Coordination Requirements.

~~4.1.16.1.~~ The IC (or their designee) shall:

~~16.1.1. When applicable, write an overall police report that describes major decision-making during the event.~~

~~7.4.1. Write an After Action in accordance with Directive(s) 9050905.00, Non-Force After Action Reporting, or 10100910.00, Use of Force, if force was used;~~

~~16.1.2. Reporting, Review, and Investigation.~~

~~16.1.2.1. If the IC authorizes mass detention or mass arrest during the event, they shall document:~~

~~16.1.2.1.1. The criminal activity that gave rise to the authorization, including a brief description of the information relied on to conclude there was reasonable suspicion or probable cause to issue the authorization;~~

~~16.1.2.1.2. Any alternatives they considered before determining that a mass detention or mass arrest was appropriate;~~

~~16.1.2.1.3. How the mass detention or mass arrest affected public safety and the safety of the group detained or arrested;~~

~~16.1.2.1.4. Any announcements made to the group detained or arrested, either before or after the detention/arrest, including the manner in which the announcements were communicated to the group; and~~

~~16.1.2.1.5. What resources the Bureau deployed to assist in expediting the investigation or processing of the persons who were detained or arrested.~~

~~4.1.1.16.1.3. When feasible, review any uses of force by other agencies' personnel as part of the overall incident after action report;~~

~~16.1.4. Complete the overall event incident report within of the conclusion of the event and, if necessary, supplement the report as additional evidence becomes available.~~

~~4.1.2.16.1.5. Write an overall police report that describes the major decisions made by the police during the incident in accordance with Directive 9000900.00, General Reporting Guidelines;~~

~~4.1.3.16.1.6. Ensure all other applicable pertinent reports are timely submitted as required by Directive 9000900.00, General Reporting Guidelines, and 1010.00, Use of Force; and~~

~~4.1.4.16.1.7. Hold a formal debrief of the event to discuss the overall plan, tactics, staffing and areas of improvement. -The debrief should include key supervisory member participants in the event.~~

~~4.2.16.2.~~ The Detective Division Commander or Supervisor shall:

~~4.2.1.16.2.1.~~ Ensure coordination with the District Attorney's Office or relevant prosecutor when arrests are made.

~~4.3.16.3.~~ Squad Supervisor Reporting and Incident Review Responsibilities.

~~7.4.2.~~ The supervisor shall not independently direct management or crowd control tactics without the authorization of the IC, unless exigent circumstances require immediate action.

~~16.3.1.~~ At the end of the event, the lead supervisor of each squad that took police action shall conduct a debriefing of the incident with their personnel and complete an appropriatedocument it in their police report in accordance with Directive 900.00, General Reporting Guidelines, and 1010.00, Use of.

~~4.4.16.4.~~ Force, documenting the actions of their squad during the incident. After Action Supervisor Responsibilities.

~~7.4.3.~~ The supervisor shall review all reports written by their squad's members pursuant to Directive 900.00, General Reporting Guidelines.

~~4.4.1.16.4.1.~~ The Within 72 hours of the event, the assistant supervisor, or a designated alternate supervisor, of each squad shall write an after action of any force used by the squad in accordance with Directive ~~10100910.00~~, Use of Force Reporting, Review, and Investigation, during the incident. -This after action shall be routed to the IC. Within 72 hours of receipt, the IC shall supplement their overall event incident report with additional evidence gathered from these after action reports.

~~7.5.~~ Members Responsibilities.

~~4.4.1.1.16.4.1.1.~~ Members who Supervisors shall evaluate use of force, or witness force by another member during the incident, shall document such actions in an appropriate police report, in accordance for compliance with this directive; Directive 1010.00, Use of Force; and any other applicable directives, operative IAPs, or other orders.

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 11:11:25 AM
Last Modified: Thursday, May 05, 2022 11:16:38 AM
Time Spent: 00:05:13

Page 1

Q1

Please provide feedback for this directive

I believe after you've warned the "peaceful" protesters that they've turned into civil disobedience and need to disband—if they do not disband and continue breaking windows, starting fires, throwing items at law enforcement and/or continue robbing from stores then use whatever force is necessary to stop them. As a native Oregonian I feel our city has allowed this criminal nonsense to go on for too long. Once the crowd is warned they know the consequences.

Q2

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

Name **Joe Q**

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 11:49:34 AM
Last Modified: Thursday, May 05, 2022 11:51:32 AM
Time Spent: 00:01:57

Page 1

Q1

Please provide feedback for this directive

This is all constructed thoughtfully and carefully, however it will only really work when the police are allowed to implement these policies without the partisan interference from politicians in city government.

Q2

Respondent skipped this question

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

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 12:20:09 PM
Last Modified: Thursday, May 05, 2022 12:21:41 PM
Time Spent: 00:01:32

Page 1

Q1

Please provide feedback for this directive

Every police officer should find a real job. Directives don't work, and violent cops will not follow them. When they break the rules, they will not be punished.

Defund the police.

Q2

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

Name	Clint
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#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 12:23:54 PM
Last Modified: Thursday, May 05, 2022 12:24:42 PM
Time Spent: 00:00:47

Page 1

Q1

Please provide feedback for this directive

It's fuckin sucks obviously

Q2

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

Name **Gregory Kinnear**

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 12:25:18 PM
Last Modified: Thursday, May 05, 2022 12:28:35 PM
Time Spent: 00:03:17

Page 1

Q1

Please provide feedback for this directive

This directive seems entirely too permissive in the use of chemical agents and rubber bullets. Those weapons are dangerous for humans and have led to people being permanently blinded. The idea that *property* damage is a reasonable trigger for violence is abhorrent.

Q2

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

Name **Alex Bogartz**

#6

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 12:31:33 PM
Last Modified: Thursday, May 05, 2022 12:34:27 PM
Time Spent: 00:02:53

Page 1

Q1

Please provide feedback for this directive

Crowd Dispersal 9.2 needs to be enacted much faster than it has been. These are not "protesters" they are RIOTERS. They must be stopped putting tax paying citizens in danger.

Q2

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

Name **Depressed About Downtown Portland**

#7

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 12:37:08 PM
Last Modified: Thursday, May 05, 2022 12:39:22 PM
Time Spent: 00:02:14

Page 1

Q1

Please provide feedback for this directive

RCA's should never be used to disperse a crowd. It has been proven that these methods are extremely dangerous and harmful to the general public, which is why some of these methods are considered war crimes.

It should be clarified that press are not subject to orders to disperse and should not be arrested for failing to follow such an unlawful order.

Where is the section on how police officers will be held accountable for failing to follow these policies?

Q2

Respondent skipped this question

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

#8

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 12:55:57 PM
Last Modified: Thursday, May 05, 2022 12:56:42 PM
Time Spent: 00:00:44

Page 1

Q1

Please provide feedback for this directive

If you are unable to use non violent means to disperse a crowd, then you are incapable of being a cop

Q2

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

Name **Suki Mi Pigliker**

#9

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 2:19:01 PM
Last Modified: Thursday, May 05, 2022 2:23:43 PM
Time Spent: 00:04:42

Page 1

Q1

Please provide feedback for this directive

Your actions during the 2020 protests significantly escalated situations. using munitions such as tear gas in neighborhoods is indefensible, the fact that you choose to defend officers violating peoples civil rights with violence instead of disciplining them and removing bad apples is also abhorrent. I have no trust in the PPB and assume most officers to be part of an occupying force rather than public servants. Maybe find officers that want to live in and be part of this community.

At this point it seems the only solution would be to completely dismantle the PPB and replace it with a new public safety system free from the corrupt PPA.

Q2

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

Name **Mike McCarrel, Portland Resident**

#10

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 2:24:43 PM
Last Modified: Thursday, May 05, 2022 2:29:34 PM
Time Spent: 00:04:51

Page 1

Q1

Please provide feedback for this directive

Policies are fine when they're followed, but your small-dick, no-brain officers probably can't even fucking read any of this in the first place.

They're going to keep overcompensating by firing indiscriminately into crowds with expired tear gas and other munitions, and we all know it.

Every single one of you can eat a fucking brick.

Q2

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

Name **Hell No**

#11

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 2:38:07 PM
Last Modified: Thursday, May 05, 2022 2:41:04 PM
Time Spent: 00:02:56

Page 1

Q1

Please provide feedback for this directive

Comply with the DOJ ruling you've been willfully ignoring. I'm literally going to law school because all of you are criminally incompetent. Or just criminal. ACAB.

Q2

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

Name **G**

#12

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 2:38:30 PM
Last Modified: Thursday, May 05, 2022 2:41:33 PM
Time Spent: 00:03:02

Page 1

Q1

Please provide feedback for this directive

1. All PPB officers should have names and badge numbers visible at all times.
 2. Body cameras should be on at all times and recording.
 3. Peaceful protests should be treated as such and force should only be used as a last resort.
 4. If planned protests or gatherings are organized and held by members of the public who have committed violence or have organized gatherings that have turned violent, police response should prepare for things to turn violent. They should not hide and decide to not intervene.
-

Q2

Respondent skipped this question

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

#13

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 3:22:59 PM
Last Modified: Thursday, May 05, 2022 3:23:10 PM
Time Spent: 00:00:11

Page 1

Q1

Please provide feedback for this directive

abolish the police

Q2

Respondent skipped this question

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

#14

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 4:12:44 PM
Last Modified: Thursday, May 05, 2022 4:14:18 PM
Time Spent: 00:01:34

Page 1

Q1

Please provide feedback for this directive

There needs to be stronger protections and language in protected activities such as free speech, filming officers and work by journalists. This policy must make clear that officers cannot construe protected activities as a crime and use that to detain, arrest or use force. Portland Police has routinely violated the civil liberties of the public.

Q2

Respondent skipped this question

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

#15

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 4:20:17 PM
Last Modified: Thursday, May 05, 2022 4:24:29 PM
Time Spent: 00:04:11

Page 1

Q1

Please provide feedback for this directive

Police should give warning to leave area and if they don't then they should use force The body cams will be nice

Q2

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

Name **Michelle Galindo**

#16

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 4:23:22 PM
Last Modified: Thursday, May 05, 2022 4:24:36 PM
Time Spent: 00:01:13

Page 1

Q1

Please provide feedback for this directive

Quitting your jobs.

Q2

Respondent skipped this question

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

#17

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 6:50:33 PM
Last Modified: Thursday, May 05, 2022 6:51:34 PM
Time Spent: 00:01:00

Page 1

Q1

Please provide feedback for this directive

PPB are heroes. Keep up the great work.

Q2

Respondent skipped this question

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

#18

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 05, 2022 8:03:38 PM
Last Modified: Thursday, May 05, 2022 8:05:56 PM
Time Spent: 00:02:17

Page 1

Q1

Please provide feedback for this directive

No more gassing citizens period. The crowd control techniques in 2020 were illegal and not appropriate use of police resources or taxpayer dollars,

Q2

Respondent skipped this question

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

#19

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, May 06, 2022 7:13:23 AM
Last Modified: Friday, May 06, 2022 7:17:15 AM
Time Spent: 00:03:52

Page 1

Q1

Please provide feedback for this directive

The police should never be allowed to use teargas. Never.

The police should never be allowed to fire rubber bullets at citizens.

Portland's police act like an occupying force rather than a protective one. Their crowd control policies should be built to protect the people *in the crowd*, not just the buildings the crowd is walking by.

Q2

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

Name **Luke Kanies**

#20

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, May 13, 2022 11:42:06 PM
Last Modified: Friday, May 13, 2022 11:45:04 PM
Time Spent: 00:02:57

Page 1

Q1

Please provide feedback for this directive

no

Q2

Respondent skipped this question

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

#21

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, May 13, 2022 11:45:48 PM
Last Modified: Friday, May 13, 2022 11:47:07 PM
Time Spent: 00:01:18

Page 1

Q1

Please provide feedback for this directive

Even my kindergardener understands that police are cowards and our world would be better if you all quit your jobs.

Q2

Respondent skipped this question

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

#22

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, May 18, 2022 11:32:08 AM
Last Modified: Wednesday, May 18, 2022 12:33:45 PM
Time Spent: 01:01:37

Page 1

Q1

Please provide feedback for this directive

Thanks for mentioning the first amendment rights and giving demonstrators the right to self-police first. Section 10-1 mentions the prohibition of aerosols as a use of force item. So, what does the cs gas count as? I know that there is a new Oregon law defines certain use of force when it comes to riot control. Lastly, how much time does Portland Police gives to the demonstrators to disperse when a civil disturbance or riot is called out. This was not mentioned in any section.

Q2

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

Name **Robbie...sorry no last name given**

#23

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, May 18, 2022 9:06:20 PM
Last Modified: Wednesday, May 18, 2022 9:18:36 PM
Time Spent: 00:12:15

Page 1

Q1

Please provide feedback for this directive

- Definition for Civil disturbance: this seems incredibly broad. I could gather four of my friends with intent to smoke a joint in public (unlawful assembly), threaten to walk into the road, and I think it could be 'civil disturbance' per this definition; or just some friends making poor life choices on the way brunch. At least the law no longer _requires_ officers to make an arrest.
- I can't find any explicit definition of 'unlawful assembly' as it applies in Oregon. Policy should probably spell this out so people who aren't lawyers can be confident they understand the policy.
- For the purposes of the policy, it seems like maybe 'riotous assembly' is enough? That seems different from other kinds of unlawful assemblies. Food for thought.
- There need to be clear, predictable guidelines, to avoid the appearance of arbitrariness when police do declare riot/unlawful assembly. <https://www.opb.org/article/2020/08/28/riot-unlawful-assembly-law-oregon-police-racism/>
- Police should use public alert systems/reverse 911 to notify crowds when they are required to disperse and notify people nearby when there is a safety risk _before_ and when_ riot occurs.
- Not all speech is protected. Incitement to riot is not protected (I think, I'm not a lawyer). Be specific about which kinds of speech are not protected, and clearly communicate that to the public.
- Consider using two-sided lines to avoid the appearance of favoring one side over another, even when one side is less threatening. And don't be afraid to point that out when you're inevitably accused of favoritism by both sides.
- Policy 7 sounds good in theory, but the City of Portland does have certain values that are expressed through policy and practice - specifically things like antiracism, equity/equality, etc. When we have white supremacist and neo-nazi groups, can there be such a thing as content neutral communication? I don't have any concrete recommendations, other than if this is maintained, the public will need some education, and probably reminders every time PPB engages in crowd control.

I recognize that Portland's current approach to crowd management emerged from a long history of protest and violent unrest, and that in part Oregon's laws were driven by public discontent with inadequate response to prior protests. Still, given the current climate, I think there's an opportunity to consider a new crowd control architecture.

This approach turns crowd control on its head, eliminates use of force, and eschews many traditional aspects of crowd management:

- Instead of using force to effectuate dispersal, make the lawful order to disperse and keep reminding people. Be explicit that violence and property damage will be investigated and that people will be held legally and financially responsible for damage. Use plain language and also use the reverse 911 system/emergency alert system to tell people: ****You break it, you buy it.****
 - Use the public alert system to allow uninvolved people to maintain a safe distance.
 - Set up an insurance fund at the city level to compensate property owners for damage from uncontrolled crowds. Have systems in place to rapidly replace broken windows, repair public infrastructure, and clean graffiti (ideally night of). Rapid response that undoes violent action should discourage repeat offense.
 - Use undercover officers, public security cameras, wide area motion imagery (<https://www.youtube.com/watch?v=ptSeU-OnI8E>), and any other useful surveillance tool to track unlawful participants, establish identity (after there is probable cause), and build a case for prosecution (e.g. for any damaged windows and assaults). Reverse geolocation warrants should be reasonably acceptable once riot is declared. There is no risk to legal observers or press, because police will not be using force or making arrests.
 - The line against making arrests would need to be pretty strict; if participants start assaulting each other, so be it. That will

0635.10 Directive Feedback (1UR)

dissuade unlawful participation post-dispersal order. This may sound extreme, but it is existing practice, as in the August 2021 incident. Remember that police are not obligated to always help, are not always able to intervene in crime already, and under this plan would be keeping people safe with proactive hazard warnings.

- Use the evidence gathered to aggressively prosecute and extract revenue from those who committed violent acts. Over the long term, one hopes that the most committed violent actors will be busy working to pay off their debts, or imprisoned, reducing further acts of violence.

- I spoke with at least one person involved in the protests, and they thought this was a pretty good deal, and much preferred to what happened in summer 2020. It seems surveillance will be done by the Feds regardless, and people are already expecting "the creeper plane", so we're already paying (in terms of perception) for the costs of heightened, high-efficacy surveillance. We might as well get the benefits if we're paying for the costs.

- This new architecture ("The Portland Model") has the additional benefit of not straining our officers, and allowing them to remain focused on community policing and maintaining public safety services for the rest of the city.

This proposed new architecture is a win for all parties involved in riotous protests:

- Bystanders: have the opportunity to leave and not get caught up in violence
- Rioters: are not subject to force, and can exercise whatever they believe to be their own free will
- Neighborhoods: will not be exposed to tear gas or other munitions
- Police: do not have to engage in mass force events or be subject to abuse
- Business: will have guaranteed replacement of their damaged property through the city's insurance program
- All other Portlanders: will have access to police service even when the city is experiencing riots

Q2

Respondent skipped this question

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

#24

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, May 19, 2022 2:19:01 PM
Last Modified: Thursday, May 19, 2022 2:22:12 PM
Time Spent: 00:03:10

Page 1

Q1

Please provide feedback for this directive

PLEASE NOTE: This form cut off our comments eight paragraphs before the end. We sent the original to you by email.

Below are comments from Portland Copwatch (PCW) on the Crowd Management/Crowd Control Directive #635.10 (<https://www.portlandoregon.gov/police/article/799482>). Because no changes have been made to this policy since it was last posted in June 2020, we are resubmitting our previous comments with a few additions and updates based on what has occurred since that time. For example, our 2020 comments talked about "the high amount of attention that is finally being paid to the important issues of police accountability and institutional racism," yet many Portlanders seem to have moved away from recognizing these issues even though they are as urgent as ever. We also talked about how impact and aerosol weapons had been used indiscriminately "in the past two weeks of ongoing responses to the death of George Floyd and the long and ongoing history of policing that his death reflects." Time flies.

We also called attention to the way the Portland Police Bureau (PPB) played semantic word games when community members complained about the use of tear gas. By saying the Bureau was not using tear gas, it was a way to avoid the responsibility for deploying whatever chemical agents caused so much pain and trauma in the middle of an airborne pandemic.

It is not clear whether other language we referred to has been changed yet, but we noted how the PPB and the media would refer to people acting as march monitors, or people who disagreed with those using property damage as a tactic, as "self-policing." Here's what we wrote: "Community members are not empowered to use violence including deadly force, nor to make arrests which could lead to incarceration in a dehumanizing criminal justice system. This is why someone created the bumper sticker that says 'Support the police: Beat yourself up.'"

While not as intense, the discussion that was going on then around rethinking what society would imagine public safety could look like is ongoing. PCW continues to believe that as long as there are still police, they need to be held accountable and stop harming members of the community. The recent shooting of a man by four Focused Intervention Team officers shows how the institution of police may intend to make the community safer, but that comes at the cost of such violent interactions.

This review comes only a few months after it was revealed that the Bureau had a slideshow about Crowd Control which included racist images, troubling legal analysis, and a right-wing poem urging officers to beat up certain kinds of protestors. We hope the revised policy will make it clear that future trainings will not include such inflammatory material.

It also comes about a year after all the officers volunteering for the Bureau's Rapid Response Team resigned that assignment in protest of the indictment of one of their members. Accountability must be stressed in the new revision. Also, references to the RRT in the definitions section and in Sections 4.1, 4.2, 6.2 probably need to be revised or removed.

There was never a second review of the Directive, so we have no idea how many other community members or organizations sent in recommendations two years ago. We note that the Citizen Review Committee made a number of broad suggestions about crowd policies in September 2021, in addition to ones they sent in 2015 which were never fully addressed by the Bureau. We refer to these older recommendations in these comments.

For the third time, we say: "even when changes are made that we can support, there needs to be evidence that they are being enforced and officers are being held accountable for violating them."

We continue to urge the Bureau to post a statement of intent along with the First Universal review, alerting the public about known areas of the policies the Bureau plans to address to help ensure attention is focused in the right places. With only 15 days to review such a complex policy, knowing what the PPB is planning will help those with limited time to give meaningful feedback.

We note here that the 2020 comments were themselves based on previous comments from September 2017 and March 2018.

0635.10 Directive Feedback (1UR)

To make it easier for those reading these comments, we have added ****double asterisks**** around text that has been modified or added to the June 2020 comments, otherwise they are mostly identical.

These comments are separated into three levels of priority, generally in the order they appear in the Directive under each section.

___ High Priority Concerns:

* Non-Confrontational Stance Needs Clarification: In 2018, the call for officers to maintain a "non-confrontational" presence was changed to a "diplomatic" presence (Policy Section 5). We urge that both words be used, and that language be added reminding officers that by showing up in "riot gear" they can escalate a situation just by mere presence.

* Broad Policy Goals Act to Encourage Force: Policy Section 6 twice includes the term "protect public safety and restore peace and order," bringing the problem of vagueness which could lead to over-policing based on a subjective interpretation. Moreover, the entire Directive's tone is still set by Procedure Section 1 talking about how Directive 1010.00 on Use of Force governs officer use of force. Directive 1010.00 itself begins with a section on de-escalation. ****De-escalation should be emphasized**** before the words "use of force" are used in this Directive.

* Unlawful collection of information: The Bureau takes video for "situational awareness" and turns it over to the City Attorney. ORS 181A.250 prohibits collecting OR maintaining information on people's social, political or religious affiliations without reasonable suspicion of criminal activity. Section 4.3 now allows live video feeds which are not permitted to be recorded without authorization by the Incident Commander. The policy explicitly says the authorization cannot be based on monitoring the associations/views of the people. However, the fact that a live video is being transmitted still seems to fall under the statute's ban on "collecting information" whether or not it is retained.

* Conflicting Orders not Specifically Banned: Section 8 on Announcements does not require officers ensure that conflicting commands (such as "get off the street onto the sidewalk" /"get off the sidewalk into the street") are not given. The closest the Directive comes is saying the Incident Commander has to ensure announcements are "consistent" (Section 6.1.5), which could just mean they are ongoing.

* Calling Out Individuals: Section 8.2.2 explicitly calls for officers using the loudspeaker system to "communicate targeted information to specific individuals to provide direction." We noted this is an intimidating tactic coming from the military grade Long Range Acoustic Device (LRAD) now in use, and asked the Bureau to stop it. Instead, the policy formalized the ability. This deserves much more discussion as police will call out the names of people they know, but say "you in the red sweatshirt" to others, creating, shall we say, unequal protection of the law (see: Fourteenth Amendment).

* No Specific Limits on Violent Arrests: The Bureau still has not acted to prohibit the use of violent arrests as we asked, leaving in place a requirement to "consider" the "method of the arrest" (Section 12.2). Moreover, the PPB did not make changes such as adding the level of criminal behavior and likelihood of escalating tensions to the existing consideration of "timing, location and method of arrest."

* Targeting Legal Observers: PCW recommended a policy against targeting those observing police at demonstrations. Section 12.4 prohibits arresting "media or legal observers... solely for their role in observing, capturing, and/or reporting on demonstrations or events." There are two caveats: (a) those observing must do so "in a safe manner and in compliance with police orders," and (b) if observers do not comply with "all police orders" they may be arrested. We're still not sure ****these exceptions are**** contemplated by the First Amendment.

* Ensuring People Can Avoid Harm: Section 9.2.1 says that weapons cannot be used unless there is an escape route available to the crowd. Such an escape route, however, is not required when officers order a dispersal (Section 9.1), and there is no requirement that

those giving orders to the crowd be aware of such an escape route (Section 8).

* Define Indiscriminate: Section 10.2 says officers can't "deploy specialty impact munitions or aerosol restraints indiscriminately into a crowd," but there is no definition for "indiscriminate." Any force used against people who are not engaged in criminal conduct or **presenting** threats to persons means the PPB is engaging in collective punishment, which is prohibited under international law.*-1

* Ban Use of Deadly Force and Other Weapons on Crowds: The use of deadly force has not been prohibited in Section 10 despite suggestions from PCW, the ACLU, the National Lawyers Guild (NLG) and Oregon Lawyers for Good Government (OLGG). Nor has the Bureau prohibited use of "batons, pepper spray, impact munitions, flash-bangs, tear gas, and bicycles" as we asked.

* Force Reporting (not in Directive): **Since our last set of comments, the PPB has included totals for force used against crowds in its quarterly Force reports. It is still not clear why crowd force incidents are published in a separate section rather than being integrated with the other Force data.**-2 We have asked before and ask again: why is force against a protestor not counted as force? One answer might be that including force at protests would vastly increase the number of people subjected to force but not taken into custody. **The 6000 uses of force at protests in 2020 threw compliance with the Department of Justice Agreement out the window.** The Bureau should include these numbers **along with day-to-day force use in order** to take a deep examination of whether officers are using too much force.

* (NEW) **Officer Identification: To be consistent with the Bureau's pledge for transparency and accountability, as well as with Directive 312.50 on Identification, the Crowd Control Directive should reflect that officers need to have their names worn clearly on their outermost garments. The orders by the Chief's office which lasted for most of 2020 and 2021 allowing officers to use untraceable numbers has made it nearly impossible to prosecute, discipline or even identify those who appear to have used excessive force during the protests.**

___Second Most Pressing Issues:

* Too Much Leeway in Defining Crimes: Policy Section 4 is too vague where it lists crimes that are not protected by the First Amendment. Echoing the items from the "Civil disturbance" definition, it lists "riot, disorder, interference with traffic, or other immediate threats to public safety, peace or order." For an organization that allows officers to: point weapons at people when it's not likely they would be justified in using those weapons, drive recklessly by ignoring traffic signals and speed limits, engage with their electronic devices while driving, harass people of color by patting them down during "mere conversations" and countless other affronts to social norms, it is not reasonable to use a blanket term like "disorder" without being more specific.

* Assembly is a Constitutional Right: PPB says control tactics can be used if there is a "civil disturbance" (Policy Section 6). The definition sections explains a "civil disturbance" is "an unlawful assembly that constitutes a clear and present danger of riot, disorder, interference with traffic upon the public streets or when another immediate threat to public safety, peace or order appears." It's not clear exactly how "interference with traffic upon the public streets" constitutes a threat to public safety. It's also not useful to characterize an assembly of persons (guaranteed as a right in the First Amendment) as "unlawful." In other words, the PPB is trying to say what makes the assembly "unlawful" by giving examples, but using the word up front implies the assembly itself is an unlawful act. The language is also vague and over-broad. **Moreover, police responding to crowds often end up blocking traffic themselves with vehicles, bicycles, and/or skirmish lines of officers. Thus, the police interfere with traffic with impunity while those calling for police accountability are attacked, pushed around and/or arrested.**

* Sometimes, No Police Presence is "Needed": Where we asked the Bureau to change its delineation of event types from "Planned demonstrations" vs. "Spontaneous demonstrations" to "Coordinated with the Bureau" vs. "Not coordinated with the Bureau," the Directive merely adds two clarifying points to the "Spontaneous demonstrations" Section (4.2). It now defines such demonstrations as "events that the Bureau learns of with less than 24 hours notice" (4.2.1) and note that such events "can be lawful and be facilitated with appropriate police response" (4.2.2). We asked the Bureau to reinsert the words "or no police response/assistance." We also asked the PPB to specifically state "The Bureau will not take adverse action against a group because it has refused to establish lines of communication with the Bureau." Neither of these happened.

0635.10 Directive Feedback (1UR)

* Will Police Action Improve Outcomes?: Section 6.1 on the Incident Commander says they should "consider what tactics are objectively reasonable under the totality of the circumstances." PCW asked the PPB to re-insert criteria from an older version including consideration of whether police action will improve the outcome.

* Unlawful Detention: The Bureau modified Section 11.1 on detentions to say officers may detain "individuals engaged in civil disturbance." However, the PPB did not address our concern that the City says officers "may" do so, since there's no requirement that the people had to have committed any particular criminal act (other than failing to disperse). Especially in light of the ACLU's previous lawsuit over this tactic, we urge the Bureau to limit or eliminate the use of this tactic. **It is important to place more emphasis on not attacking people engaged in Passive Resistance, which by the Directive's definition includes people who simply fail to disperse when ordered. The definition says Passive Resistance is "a person's non-cooperation with a member that does not involve violence or other active conduct by the individual."**

* Require Reports by End of Shift: The Section (13.4) requiring officers who use force to file a report still does not set a deadline of the end of their shift (as was in a previous version).

* Ban or Define When Kettling Can Be Used (not in Directive): There is nothing in the Directive, including in Section 9 on "Crowd Dispersal," about the Bureau's ongoing tactic of "kettling" (boxing in) protestors, despite our request. Perhaps Section 11.1 on detaining "individuals engaged in civil disturbance" is supposed to cover that tactic. **This is not an endorsement of the PPB using this troubling tactic, but rather an admonishment that in order to do so, there has to be a written policy setting guidelines for the police.**

* Limit Powers to Confiscate Items from Demonstrators (not in Directive): The Bureau has been actively rounding up items they claim are potential weapons, even those that are not listed under state law as dangerous, despite the fact that an old part of the Directive allowing them to "pre-emptively confiscate potential weapons" was cut from a previous iteration. **A prime example of over-reach was the incident involving an individual with a "register to vote here" sign in 2020, whose violent takedown by the police led to a \$100,000 settlement and proposed discipline against the officer, who resigned before it could be implemented.*-3 **

* Address Specific Munitions (not in Directive): Also, even though they have become ubiquitous in crowd control, the specific guidelines for use of so-called "aerial distraction devices" (aka flash-bangs) and "rubber ball distraction devices" (aka less-lethal grenades) are not addressed directly in any Bureau policy. Directive 1010.00 on Use of Force, Section 6.4.2 "Impact Munitions" is the closest we could find.*-4

* Prohibit Political Profiling (not in Directive): There is still nothing prohibiting officers from targeting individuals based on their clothing or perceived political affiliations as both we and the Citizen Review Committee suggested. The closest guideline is the one stating officers have to articulate probable cause for an arrest (Section 12.3). We note here that it's amusing **that in 2019** Chief Outlaw sought to ban people wearing masks at protests, when **just a few months later it became** a matter of public health and safety that people should wear masks.

* Promptly Released Seized Property: There is nothing requiring the prompt release of property confiscated at protests, also a CRC recommendation that PCW supported.

____ Third Tier, but Still Important Concerns:

* Better Phrasing for Letting the Community Organize on its Own: Policy Section 5 directs police to "encourage and support participants' efforts to monitor themselves in an attempt to limit member involvement." We suggested this be changed to say "Be supportive of participants' organizing to set guidelines on behavior" or similar language to not seem so paternalistic.

* What is Property Damage?: Policy Section 5 also says police presence is to be minimize "violence, injury or damage to property." While minimizing violence and injury is a good goal, PCW has repeatedly asked the Bureau to be clear what is meant by "damage to property." Some believe that writing slogans on a sidewalk in chalk is a form of "property damage," which is silly.

0635.10 Directive Feedback (1UR)

* Staring Over Your Shoulder: Policy Section 5 also continues to suggest that officers' presence is partly to "encourage crowd self-monitoring" which we compared to having your boss stand over your work area all day while armed.

* It's Always a Choice: The Bureau still has not replaced the phrase "when police response is necessary" to "when police choose to respond" as we suggested (3.1.1).

* Cold Calling/Messaging is Big-Brotherly: The Bureau directs officers to contact event organizers and "engage in dialogue" (Section 3.1.1.1). The Directive should address PCW's concern that a phone call, social media message or other contact from police can be off-putting. Moreover, laying out "expectations" is paternalistic. We continue to suggest that police and the City post Frequently Asked Questions about guidelines for demonstrations.

* Better Language on Protest Liaisons: In addition to "organizers" the Directive describes "Person(s)-in-charge" as potential contacts for police (Section 3.1.1.2). However, the PPB did not change the term "person-in-charge" to "liaison" which we pointed out allows organizers to assign someone not necessarily in charge to exchange information with police.

* Not Everyone Has a Smart Phone: The Directive does not address specific ways other than social media to get information to a crowd, even though we pointed out not everyone who goes to demonstrations carries a smart phone (Section 3.1.1.3). While it continues to refer to "other conventional outlets" it is not clear what that means.

* Clarify Chain of Command: A confusing chain of command involving the Incident Commander, the Rapid Response Team ^{**}(or its replacement, presumably)^{**} and the on-duty precinct supervisor has not been fixed in Section 4.2.3. (see other eight paragraphs, conclusion and footnotes as listed in the email version)

Q2

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

Name

Portland Copwatch

#25

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, May 20, 2022 12:12:43 AM
Last Modified: Friday, May 20, 2022 12:21:07 AM
Time Spent: 00:08:23

Page 1

Q1

Please provide feedback for this directive

It is hard to understand the difference of roles between the CMIC, IC & Operations Section Chief. Do these assignments each have different ranks? Does the PPB Demonstration Liaison only acts as the communicator?

It is also hard to understand the difference of the MFF & the RRT in the case of crowd control.

It says under 6.4 Detective division, that detectives are assigned to be the mass arrest team response, Detectives make arrests?

Under 10.1 Firearms are not listed as not being able to use to disperse a crowd, I think that should be included.

Q2

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

Name **Tia Palafox**
