



CITY OF PORTLAND, OREGON



Bureau of Police

Ted Wheeler, Mayor

Charles Lovell, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000

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Executive Summary

Directives 0870.25, Temporary Detention Areas in Police Facilities (formerly, “Temporary Holding Rooms”)

Introduction

The Portland Police Bureau (PPB) launched its review of Directive 0870.25, Temporary Detention Areas in Police Facilities (formerly, “Temporary Holding Rooms”), in the fall of 2019. The directive establishes procedures for temporarily detaining individuals and protocols for decontaminating holding and intoxication rooms. The Bureau last revised the directive in 2008, so the review involved significantly overhauling the policy to reflect improved practices and standards.

Public Comments

The Bureau received minimal feedback during both universal review and public comment periods. Commenters highlighted perceived inconsistencies in the policy and offered recommendations regarding cleaning procedures, the treatment of juveniles taken into custody, and handcuffing procedures.

Cleaning Standards

A commenter offered a recommendation on the frequency of decontaminating a holding room. The previous version of the directive included little guidance regarding decontamination requirements for Responsibility Unit (RU) Standard Operating Procedures (SOPs). The updated directive includes more specific guidance for RU SOPs, with a focus on minimizing exposure to communicable diseases.

Juveniles

Another commenter questioned the use of holding cells for juveniles on the basis of “engaging in criminal behavior.” The updated directive maintains the prohibition on holding a juvenile who has been charged with or who has committed a non-criminal offense (if committed by an adult) in a holding cell. However, the revised language offers clearer guidance about who is not considered a juvenile status offered, removing the reference to “engaging in criminal behavior” and drawing a brighter line – charged with or committing a criminal offense. Additionally, the updated policy clarifies existing practices around member management of juvenile detainees. Although this directive offers some guidance in this context, Directive 0850.30, Temporary Detention and Custody of Juveniles, provides more specific guidance and requirements for holding Juveniles.

Handcuffing Procedures

Multiple commenters noted the need for clarity regarding handcuffing requirements. The updated policy offers clearer guidance on how to secure person during detention. Specifically, the directive speaks to the placement of the person's hands when handcuffed and the circumstances under which members may remove handcuffs.

The Bureau's Revised Policy

The Bureau significantly revised Directive 0870.25 to provide clear comprehensive guidance on the management of holding rooms and Bureau member treatment of persons who are taken into custody. The Bureau streamlined the definitions section; expanded the definition of "contamination" to account for a variety of possible contaminants and to more directly speak to specific decontamination procedures; provided clearer guidance regarding handcuffing procedures; clarified procedures regarding the treatment of juvenile detainees; established requirements for the handling of firearms and ammunition in specially designated areas; and enhanced RU Manager responsibilities in this context.

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

This directive goes into effect December 15, 2022. Published on November 17, 2022.

0870.25, Temporary Detention Areas in Police Facilities

Refer:

- DIR 0060.00, Standard Operating Procedures
- DIR 0410.00, Injuries/Occupational Illness/Disability/LOS
- DIR 0640.70, Fingerprinting and Photographing Juveniles
- DIR 0660.10, Property and Evidence Procedures
- DIR 0850.30, Temporary Detention and Custody of Juveniles
- Juvenile Secure Custody Log (Intranet)

Definitions:

- Contamination: When a space or area in a facility becomes unsanitary due to the presence of bodily fluids or exposure to communicable diseases (e.g., Staph/Methicillin-resistant Staphylococcus Aureus [MRSA], blood borne and respiratory infections, etc.).
- Holding Room: A room used to temporarily hold a subject while a member completes a preliminary investigation prior to interviewing a subject, verifying a subject's identification, issuing a citation, booking the subject, or completing other tasks related to a detention or arrest.
- Specially Designated Area: A secure area of a precinct/division that includes the immediate vicinity of holding rooms and intoxilyzer rooms. This does not include adjacent hallways or walkways, or movements through such areas for purposes other than accessing a holding or intoxilyzer room. In some Bureau facilities, the specially designated area is the holding room itself.
- Juvenile Status Offender: A juvenile who is charged with or who has committed an offense that would not be criminal if committed by an adult (e.g., truancy, curfew, runaway, possession and/or consumption of tobacco products and/or alcohol), yet may be taken into protective custody for purpose of reuniting the juvenile with a parent, guardian, or other responsible person.

Policy:

1. This directive establishes procedures for managing temporary detentions in Portland Police Bureau facilities.
2. The Portland Police Bureau recognizes its responsibility to protect the safety and health of the persons members take into temporary custody. The Bureau shall routinely decontaminate vehicles and specially designated areas to provide a clean and healthy environment for both subjects, and Bureau members.

Procedure:

1. Member Responsibilities When Temporarily Detaining a Subject.
 - 1.1. Arresting members shall:

- 1.1.1. Restrict all subjects transported to a precinct/division to the specially designated area. Members may escort subjects through other secure areas of the police facility to access specially designated areas, when necessary.
- 1.1.2. Ensure subjects are handcuffed with their hands behind their back or handcuffed to a fixed object intended for that purpose at all times while in the specially designated area, unless directed otherwise by a supervisor or detective.
 - 1.1.2.1. Members may briefly secure a subject's handcuffs in the front of the body when necessary for the subject to use the phone or restroom facilities.
 - 1.1.2.2. Members may remove handcuffs from a cooperative subject when performing a field sobriety test or a drug recognition evaluation. Members shall not remove handcuffs if the subject is aggressive and/or non-compliant.
- 1.1.3. Inspect the holding room for hazards and contraband prior to placing the subject in it.
 - 1.1.3.1. Members shall document the discovery of any hazards or contraband and take appropriate action to remove the item(s).
- 1.1.4. Search and remove all non-essential property from the subject prior to placing the subject in the holding room. This includes, but is not limited to, objects that a subject may use as a weapon, a means of escape, or to cause self-harm (e.g., shoelaces).
 - 1.1.4.1. If booking the subject, members shall transport all personal property to booking, unless the property is placed in the property room, due to size, found property, or evidence.
 - 1.1.4.2. If citing and releasing the subject, members shall return all personal property upon release.
- 1.1.5. Remove firearms and ammunition from their person in accordance with precinct/division Standard Operating Procedures (SOPs) prior to entering the specially designated area. The Bureau prohibits firearms and ammunition in these areas, except in exigent circumstances.
- 1.1.6. Write the day's date, the time, the subject's name, and the arresting member's name on the board outside the holding room.
- 1.1.7. Complete the subject entry in the sign in/out log. Precincts/Divisions shall maintain logs in the specially designated area to document when subjects enter and exit holding rooms.
 - 1.1.7.1. Members shall make an entry for each subject placed in a holding room, regardless of length of stay. Each log entry must contain the following information:
 - 1.1.7.1.1. The name of the member responsible for the subject,
 - 1.1.7.1.2. The name of the subject,
 - 1.1.7.1.3. The date and time the subject was placed into and removed from the holding room, and
 - 1.1.7.1.4. Confirmation that the member searched the holding room after the removal of the subject.
- 1.1.8. Ensure a sworn member monitors the subject, in person or by video feed, at all times. This requires the following:

- 1.1.8.1. When monitoring in person, maintaining a sworn member in the specially designated area or immediately adjacent areas of the police facility when a subject is present.
 - 1.1.8.1.1. The responsible member shall not leave the specially designated area or immediately adjacent areas of the police facility until another sworn member is present and they are able to delegate their monitoring subject responsibility.
 - 1.1.8.2. Members shall check the welfare of the subject by, at a minimum, viewing the subject through the holding or intoxilyzer room window or by video feed every 15 minutes or more frequently, if needed (e.g., medical need).
 - 1.1.9. Report any contamination to a precinct/division shift supervisor and follow the precinct/division SOP regarding contamination of vehicles and specially designated areas.
 - 1.1.10. Document any exposure to contamination in the Injury Log (e.g., contact with broken skin, mucous membranes [in the nose, mouth, or eyes], or puncture wounds), if applicable.
- 1.2. Juvenile Detainees.
- 1.2.1. The Bureau prohibits the placement of juvenile status offenders in holding rooms; however, members may place other juveniles in holding rooms in accordance with the procedures set forth in this section.
 - 1.2.1.1. Members may hold juvenile status offenders in a non-secure area of a precinct/division for processing while awaiting transportation.
 - 1.2.2. Members shall document the juvenile's information and disposition in the Juvenile Secure Custody Log form.
 - 1.2.3. If detaining a juvenile, members shall place the person in a holding room separate from adults.
 - 1.2.3.1. Members shall ensure that juveniles are not in sustained contact with adult subjects. This does not include brief and/or inadvertent contact.
 - 1.2.4. Members shall not detain juveniles in a police precinct for more than five hours.
 - 1.2.5. Members shall refer to Directive 0850.30, Temporary Detention and Custody of Juveniles, for additional guidance on holding juveniles.
2. Supervisor Responsibilities.
- 2.1. Ensure signs prohibiting members from carrying their firearms and ammunition are visible in the specially designated areas.
 - 2.2. Ensure members are not in the specially designated areas with any firearms and ammunition.
 - 2.3. Ensure precincts/divisions maintain sign-in/out logs.
 - 2.4. Ensure members follow the procedures for juveniles described in Section 1.2.

- 2.5. Ensure members follow the precinct/division SOPs regarding contaminated vehicles and specially designated areas.
- 2.6. Address member medical needs regarding exposure to actual or potential contamination and communicable diseases.
3. Responsibility Unit (RU) Manager Responsibilities.
 - 3.1. Develop and maintain an SOP in accordance with Directive 0060.00, Standard Operating Procedures, prohibiting members from carrying their firearms and ammunition in specially designated areas and outlining options for securing these items.
 - 3.2. Develop and maintain an SOP for cleaning vehicles and specially designated areas that have a presence of bodily fluids, or that have been exposed or potentially exposed to communicable diseases.
 - 3.2.1. To help minimize and prevent the spread of communicable diseases, the SOP may provide supplemental guidelines, in addition to the following requirements, in the event of contamination:
 - 3.2.1.1. Treat the contamination as a bio-hazard and take appropriate safety precautions such as wearing personal protective equipment (e.g., gloves, safety glasses, medical face masks) to treat contaminants or to secure the contaminated area.
 - 3.2.1.2. Secure the contaminated area by sealing it from use with a biohazard warning until the area can be properly decontaminated.
 - 3.2.1.3. How to properly sanitize an area or request decontamination of a secured contaminated area.
 - 3.2.1.4. Notify a precinct/division shift supervisor of a contaminated area and the measures taken to secure the area (e.g., sealed with biohazard warning).
 - 3.2.1.4.1. Members shall not use an area deemed a biohazard until properly decontaminated.
 - 3.2.1.5. Instruct members to document exposure to contamination in the Injury Log, if applicable.
 - 3.2.2. Designated personnel shall not clean a holding room when occupied by a subject.
 - 3.3. Ensure SOPs are accessible in the specially designated areas.

Effective: 12/15/2022

Next Review: 12/15/2024

~~870.25 TEMPORARY HOLDING ROOMS~~
0870.25, Temporary Detention Areas in Police Facilities

Refer:

- DIR 0060.00, Standard Operating Procedures
- DIR 0410.00-, Injuries/Occupational Illness/Disability/LOS
- DIR 0640.70-, Fingerprinting and Photographing Juveniles
- DIR 0660.10, Property and Evidence Procedures
- DIR 0850.30-, Temporary Detention and Custody of Juveniles, Custody
- Juvenile Secure Custody Log (Intranet)

POLICY (870.25)

~~Prisoners in a precinct/division will be restricted to holding rooms, and the area adjacent to the rooms, with the highest priority placed on the security and safety of Bureau members and other persons. The holding rooms will be disinfected weekly, or more often as needed, to ensure a safe environment for members and prisoners.~~

PROCEDURE (870.25)

Directive Specific

Definitions:

- ~~Contamination: When a holding room, immediate area or vehicle comes in contact with bodyspace or area in a facility becomes unsanitary due to the presence of bodily fluids or suspected exposure to communicable diseases (e.g., Staph/Methicillin-Resistant-resistant Staphylococcus Aureus ([MRSA) infection.], blood borne and respiratory infections, etc.).~~
- ~~Holding cell:Room: A room used to temporarily hold a subject while a member completes a preliminary investigation prior to booking and/or citing, and/or verifies the interviewing a subject, verifying a subject's identification. Juvenile status offenders will not be placed in holding cells., issuing a citation, booking the subject, or completing other tasks related to a detention or arrest.~~
- ~~Immediate area: PartSpecially Designated Area: A secure area of a precinct/division that containsincludes the holding rooms. The immediate area may be physically divided by a door or implied by the designvicinity of the building.~~
- ~~Prisoner: Any subject taken into custody by a member, whether it is voluntary or not.~~
- ~~Responsible member: A sworn member that is responsible for a prisoner.~~
- ~~Securing a vehicle or holding cell: Sealing it from use with a bio-hazard warning until it can be disinfected.~~
- ~~Sign in/sign-out log (Adultholding rooms and Juvenile): A log that is maintained in the immediate area for documenting when prisoners are placed in and removed from holdingintoxilyzer rooms. There will be an entry in the log for each prisoner placed in a~~

holding cell, no matter how long they were there. Each log entry will contain the following information: the name of the member responsible for the prisoner, the name of the prisoner, the date and time the prisoner was placed into and removed from the holding room and an indication This does not include adjacent hallways or walkways, or movements through such areas for purposes other than accessing a holding or intoxicilyzer room. In some Bureau facilities, the specially designated area is the holding room was searched after the removal of the prisoner. In addition to the above, the juvenile log will include age or DOB of the offender, the offense, and the disposition of the juvenile itself.

- ~~Staph/MRSA skin infection: A communicable disease that can be spread by contact between infected skin and healthy skin, and infected objects and healthy skin. Staph/MSRA may be present in a pimple, rash, boil, blister or open wound, and can often look like a spider or insect bite. If left untreated, Staph/MRSA may progress from a skin irritation to a serious bone or blood infection. Staph/MRSA can live for up to 24 hours on infected objects and skin.~~

Juvenile Requirements (870.25)

~~The purpose of detaining juveniles in holding rooms is to secure only those that have engaged in criminal behavior. It is preferable to detain compliant, minor offenders in non-secure areas. Juveniles who commit crimes may be held in a secure manner for up to five hours. It is not permitted to hold status offenders, non-offenders, violators, alien juveniles, or civil-type juvenile offenders in a secure manner at any time (see Directive 850.30 Juveniles, Custody for more detail). These juveniles may be detained in a non-secure area of the facility for processing while awaiting transportation.~~

~~Juveniles will not have contact with adult prisoners. Contact is defined to include any physical or sustained sight or sound contact. Brief and/or inadvertent contacts between juvenile offenders in a secure custody status and adult prisoners in holding cells do not count as violations.~~

Members

- Juvenile Status Offender: A juvenile who is charged with or who has committed an offense that would not be criminal if committed by an adult (e.g., truancy, curfew, runaway, possession and/or consumption of tobacco products and/or alcohol), yet may be taken into protective custody for purpose of reuniting the juvenile with a parent, guardian, or other responsible person.

Policy:

1. This directive establishes procedures for managing temporary detentions in Portland Police Bureau facilities.
2. The Portland Police Bureau recognizes its responsibility to protect the safety and health of the persons members take into temporary custody. The Bureau shall routinely decontaminate vehicles and specially designated areas to provide a clean and healthy environment for both subjects, and Bureau members.

Procedure:

1. Member Responsibilities (870.25) When Temporarily Detaining a Subject.

1.1. a. Arresting membermembers shall:

1.1.1. 1. Restrict all prisonerssubjects transported to a precinct/division are restricted to the precinct's/division's holding rooms and/or the immediate area. Prisoners will not be allowed in to the report writing areaspecially designated area. Members may escort subjects through other secure areas of the precinct, even if it is part of the immediate area-police facility to access specially designated areas, when necessary.

~~2. Prisoners will remain handcuffed at all times while in a holding room or the immediate area. The investigation and interview process is often best served by unhandcuffing prisoners while they are detained in holding cells and during interviews. Approval to unhandcuff prisoners must be obtained from a sergeant or detective or by exceptions authorized by specific division SOP. Safety considerations require that movement between cells and interview rooms is generally done with prisoners handcuffed.~~

1.1.2. 3. Ensure subjects are handcuffed with their hands behind their back or handcuffed to a fixed object intended for that purpose at all times while in the specially designated area, unless directed otherwise by a supervisor or detective.

1.1.2.1. Members may briefly secure a subject's handcuffs in the front of the body when necessary for the subject to use the phone or restroom facilities.

1.1.2.2. Members may remove handcuffs from a cooperative subject when performing a field sobriety test or a drug recognition evaluation. Members shall not remove handcuffs if the subject is aggressive and/or non-compliant.

1.1.3. Inspect the holding room for hazards and contraband prior to placing the prisonerssubject in it. If either is found,

1.1.3.1. Members shall document the discovery of any hazards or contraband and take the appropriate action to remove the item(s).

1.1.4. 4. Search and remove all non-essential property from the prisonerssubject prior to placing the prisonerssubject in the holding room. This includes, but is not limited to, objects that can be used a subject may use as a weapon or, a means of escape, and non-essential clothing such as belts, shoes and jewelry. All removed or to cause self-harm (e.g., shoelaces).

1.1.4.1. If booking the subject, members shall transport all personal property with accompany prisoners to booking, unless the property is placed in the property room, due to size, found property, or be returnedevidence.

1.1.4.2. If citing and releasing the subject, members shall return all personal property upon release.

1.1.5. 5. Remove firearms and ammunition from their person in accordance with precinct/division Standard Operating Procedures (SOPs) prior to entering the specially designated area. The Bureau prohibits firearms and ammunition in these areas, except in exigent circumstances.

~~1.1.2.1.1.6.~~ Write the day's date, the time, the ~~prisoner's~~subject's name, and the arresting member's name on the board outside the holding room.

~~1.1.3.1.1.7.~~ ~~6.~~ Complete the ~~prisoner's~~subject entry in the sign in/out log.
Precincts/Divisions shall maintain logs in the specially designated area to document when subjects enter and exit holding rooms.

~~1.1.7.1.~~ ~~7.~~ ~~Ensure the prisoner is monitored~~Members shall make an entry for each subject placed in a holding room, regardless of length of stay. Each log entry must contain the following information:

~~1.1.7.1.1.~~ The name of the member responsible for the subject,

~~1.1.7.1.2.~~ The name of the subject,

~~1.1.7.1.3.~~ The date and time the subject was placed into and removed from the holding room, and

~~1.1.7.1.4.~~ Confirmation that the member searched the holding room after the removal of the subject.

~~1.1.4.1.1.8.~~ Ensure a sworn member monitors the subject, in person or by video feed, at all times. This requires the following:

~~1.1.4.1.1.8.1.~~ When monitoring in person, maintaining a) ~~A sworn member must be either in the immediate~~specially designated area or report writing room at all times~~immediately adjacent areas of the police facility when a subject is present.~~

~~1.1.4.1.1.1.8.1.1.~~ b) ~~The responsible member will~~shall not leave the ~~immediate area~~specially designated area or immediately adjacent areas of the police facility until another sworn member is present and they are able to delegate their monitoring subject responsibility~~has been delegated for the observation and custody of the prisoner.~~

~~1.1.4.2.1.1.8.2.~~ e) ~~Members will continuously~~shall check the welfare of the ~~prisoner~~subject by, at a minimum, viewing the subject through the holding or intoxilyzer room window or by video feed every 15 minutes or more frequently, if needed. (e.g., medical need).

~~8.~~ Report any contamination to a precinct/division shift supervisor:

~~9.~~ If and follow the ~~prisoner is a juvenile:~~

~~a)~~ Ensure all information is written into the Juvenile Secure Custody Log.

~~b)~~ Juveniles must be placed into separate holding rooms from adults.

~~c)~~ Juveniles may not be held in a police precinct for more than five hours.

~~b.~~ Supervisor responsibilities:

1. ~~Ensure the sign-in/sign-out logs are maintained.~~
2. ~~Ensure the SOP for contaminated holding rooms and vehicles is adhered to.~~
3. ~~Ensure the special procedures for juveniles are followed.~~

e. ~~RU manager responsibilities:~~

~~1.1.5.1.1.9. 1. Develop an SOP for cleaning holding rooms, the immediate area and /division SOP regarding contamination of vehicles that have been contaminated, or are suspected to be contaminated, with body fluids or Staph/MRSA and specially designated areas.~~

2. ~~Ensure the SOP is posted in the immediate area.~~

d. ~~Bureau members:~~

1. ~~Perform any required duties per the decontamination SOP.~~

~~Contaminated Holding Rooms and Vehicles (870.25)~~

~~1.1.10. To help prevent the spread of Staph/MRSA skin infection and other Document any exposure to contamination in the Injury Log (e.g., contact with broken skin, mucous membranes [in the nose, mouth, or eyes], or puncture wounds), if applicable.~~

1.2. Juvenile Detainees.

1.2.1. The Bureau prohibits the placement of juvenile status offenders in holding rooms; however, members may place other juveniles in holding rooms in accordance with the procedures set forth in this section.

1.2.1.1. Members may hold juvenile status offenders in a non-secure area of a precinct/division for processing while awaiting transportation.

1.2.2. Members shall document the juvenile's information and disposition in the Juvenile Secure Custody Log form.

1.2.3. If detaining a juvenile, members shall place the person in a holding room separate from adults.

1.2.3.1. Members shall ensure that juveniles are not in sustained contact with adult subjects. This does not include brief and/or inadvertent contact.

1.2.4. Members shall not detain juveniles in a police precinct for more than five hours.

1.2.5. Members shall refer to Directive 0850.30, Temporary Detention and Custody of Juveniles, for additional guidance on holding juveniles.

2. Supervisor Responsibilities.

2.1. Ensure signs prohibiting members from carrying their firearms and ammunition are visible in the specially designated areas.

2.2. Ensure members are not in the specially designated areas with any firearms and ammunition.

2.3. Ensure precincts/divisions maintain sign-in/out logs.

2.4. Ensure members follow the procedures for juveniles described in Section 1.2.

2.5. Ensure members follow the precinct/division SOPs regarding contaminated vehicles and specially designated areas.

2.6. Address member medical needs regarding exposure to actual or potential contamination and communicable diseases.

3. Responsibility Unit (RU) Manager Responsibilities.

3.1. Develop and maintain an SOP in accordance with Directive 0060.00, Standard Operating Procedures, prohibiting members from carrying their firearms and ammunition in specially designated areas and outlining options for securing these items.

3.2. Develop and maintain an SOP for cleaning vehicles and specially designated areas that have a presence of bodily fluids, or that have been exposed or potentially exposed to communicable diseases.

1.1.6.3.2.1. To help minimize and prevent the spread of communicable diseases, the SOP may provide supplemental guidelines, in addition to the following steps shall be taken requirements, in the event of contamination-:

a. Members who determine a holding room, immediate area and/or vehicle are contaminated will:

1.1.6.1.3.2.1.1. 1. Treat the contamination as a bio-hazard, and take appropriate safety precautions such as wearing personal protective equipment (e.g., gloves, safety glasses, medical face masks) to treat contaminates or to secure the contaminated area.

1.1.6.2.3.2.1.2. 2. Secure the contaminated area and/or vehicle by sealing it from use with a biohazard warning until the area can be properly decontaminated.

3. Follow the RU's SOP for contamination-

3.2.1.3. 4. How to properly sanitize an area or request decontamination of a secured contaminated area.

1.1.6.3.3.2.1.4. Notify a precinct/division shift supervisor of the contamination, and securing of the contaminated areas a contaminated area and the measures taken to secure the area (e.g., sealed with biohazard warning).

3.2.1.4.1. 5. Document any member's Members shall not use an area deemed a biohazard until properly decontaminated.

~~1.1.6.4.3.2.1.5.~~ Instruct members to document exposure to ~~the~~ contamination in the ~~injury log~~ Injury Log, if applicable.

~~1.1.7.3.2.2.~~ b. Members will ~~Members will~~ Designated personnel shall not ~~use~~ clean a ~~vehicle or~~ holding ~~cell that has been secured~~ room when occupied by a subject.

3.3. Ensure SOPs are accessible in the specially designated areas.

DRAFT

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 04, 2019 11:36:02 AM
Last Modified: Wednesday, September 04, 2019 11:39:17 AM
Time Spent: 00:03:14

Page 1

Q1 Please provide feedback for this directive

Requiring removal of all jewelry is vague. I would recommend it be "visible" jewelry to prevent the issue of having officers removing body piercings on intimate parts of the body- that is probably better done in the jail setting where there are confirmed cameras to record the interaction.

Q2 Contact Information (optional)

Respondent skipped this question

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 04, 2019 12:15:38 PM
Last Modified: Wednesday, September 04, 2019 12:18:42 PM
Time Spent: 00:03:03

Page 1

Q1 Please provide feedback for this directive

If member or juvenile public safety is the first priority, any holding room will be disinfected after each use before another use. Unless people in the holding room have been tested with negative results, one would reasonably presume they may be positive for something that would contaminate the room (and transport vehicle).

Q2 Contact Information (optional)

Respondent skipped this question

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 04, 2019 6:13:45 PM
Last Modified: Wednesday, September 04, 2019 6:15:34 PM
Time Spent: 00:01:49

Page 1

Q1 Please provide feedback for this directive

It's unclear whether holding cells temporarily house multiple people. It's also unclear what exceptions would be made for medical issues, and whether individuals are cuffed behind their back or with their hands in front. An individual with their hands cuffed behind them (for example) may not be able to right themselves if they fall.

Q2 Contact Information (optional)

Respondent skipped this question

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 04, 2019 10:27:25 PM
Last Modified: Wednesday, September 04, 2019 10:36:42 PM
Time Spent: 00:09:16

Page 1

Q1 Please provide feedback for this directive

I would format item (a)(2) a little differently and build it out just a bit:

2. Prisoners will remain handcuffed at all times while in a holding room or the immediate area.

- a) Prisoners may be unhandcuffed if it is deemed appropriate to facilitate the investigation when authorized by Division SOP, supervisor, or detective supervising the investigation.
- b) Any unhandcuffed prisoner shall be monitored by not less than two members.
- c) Members who unhandcuff a prisoner shall document this act in an appropriate report, including the authority under which the prisoner was unhandcuffed and the members who monitored the prisoner during the time he or she was unhandcuffed.

I would change (a)(4) to require property be taken to booking, returned, or processed in accordance with the Property/Evidence directive.

Q2 Contact Information (optional)

Respondent skipped this question

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, February 13, 2020 4:22:31 PM
Last Modified: Thursday, February 13, 2020 4:24:36 PM
Time Spent: 00:02:05

Page 1

Directive 870.25 Feedback

Q1

Please provide feedback for this directive

COMMENTS ON VEHICLE TOW, ALCOHOL USE AND OTHER DIRECTIVES FEBRUARY 2020

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

Below are our comments on the six Directives posted for February 2020 (<https://www.portlandoregon.gov/police/article/73677>). While two have not been reviewed under this process previously (so far as we know), the ones that have continue to include problems Portland Copwatch (PCW) identified in earlier comments. PCW continues to thank the Bureau for putting out "redline" versions of Directives upon second review, but urges the Bureau to include notes about reasons first review policies have been chosen, including possible revisions the Bureau is considering.

In relaying the first four items to our constituents, we noted that they all seem to relate to questionable behavior which put officers in front of the Police Review Board or in the media in the last 10 months:

640.50 Traffic Crash Investigations: Officer Alfonso Valadez chased a suspect down an off-ramp of the freeway, leading to that person having a fatal head-on crash (Dec. 2019 PRB report).*

316.00 Alcohol Use: Commander Steve Jones crashed his car into a utility pole, cracking it in two, in June 2018, leading to the loss of his job (Sept. 2019 PRB report).

630.23 Reserve Officer Program: The entirety of the Reserve Officer unit resigned in 2018 when the Bureau failed to train them up to the standards required by the US DOJ Agreement (Oregonian, April 19, 2019).

317.40 Authorized Use of Bureau Resources: Detective Norville Hollins III was demoted after he took a police car to the Oregon coast repeatedly, racking up hundreds of non-work miles (Dec. 2019 PRB Report).

We are also making comments on the Holding Cells (870.25) and Vehicle Tow (630.60) Directives, mostly based on our previous input.

As we have commented repeatedly, while it is useful to have 30 days to make recommendations on the second round reviews, the 15-day window for the first round is too short and precludes most official PPB advisory bodies, which only meet once a month (or once every two months) from weighing in.

We also continue to believe the Bureau should put letters on the Definitions, Policy and Procedure sections so there are not multiple sections with the same numbers. Our comments are on the Procedure sections unless otherwise noted.

Footnote (introduction)

*-Valadez resigned before he could be fired.

DIRECTIVE 870.25 TEMPORARY HOLDING ROOMS (last posted in September 2019 but last commented on by PCW in March 2015)

This Directive is now called "Procedures for Members in Specially Designated Areas in Police Facilities," which is a mouthful, but used to be called "Holding Rooms" when, as we noted, that term was not defined. We appreciate the Bureau defining the term in the proposed updated version. The format of this Directive indicates that the proposed changes from 2015 were never adopted.

There is still the problem we previously noted where the Directive creates prohibitions on certain behaviors, but then gives exceptions to those prohibitions without noting they are exceptions.

Directive 870.25 Feedback

a) In the definitions section (no numbers), the meaning of "holding room" states that "Juvenile status offenders shall not be placed in holding cells." However, Section 1.2.2 says juveniles will be put into separate holding cells from adults, with Section 1.2.3 allowing this to happen for up to five hours.

b) In Procedure Section 1.1.1, the policy states that prisoners should be handcuffed "at all times" but then proceeds to talk about the ways officers are allowed to take the handcuffs off in Section 1.1.1.1. Perhaps 1.1.1 should include the words "except as described below."

Moreover, PCW continues to question the use of holding cells for juveniles just based on whether they have "engaged in criminal behavior" (1.2.4), since there's a presumption of innocence until a court hearing establishes otherwise.

Our final note on this Directive is that section 1.1.4, requiring officers to remove firearms and ammunition when entering the holding rooms area, should be reflected in the policy around entering mental health facilities (850.25, as we commented in January and previously).

CONCLUSION

As we wrote one year ago this month, "PCW again appreciates that the Bureau asks for community comments on its policies, and the few changes that were made in response to our feedback. However, the other common-sense ideas we are putting forward which would lead to a more trustworthy and community-minded police force should not be brushed aside. We are hoping that the once the PCCEP starts making recommendations, the Bureau will engage in public discussions (involving the Committee members and the general public) rather than continuing to go behind closed doors to assess community input. That would show a true commitment to 'community engaged policing.'" Now that PCCEP has proposed a policy, albeit not related to a specific Directive but rather generally about how to approach traffic stops, we hope the Bureau takes up this challenge and engages in meaningful discussion.

Thank you for the opportunity to comment,

dan handelman and other members of
Portland Copwatch

Q2

Contact Information (optional)

Name

Portland Copwatch

Email Address

copwatch@portlandcopwatch.org