

*Please Note: This is a working draft of Directive 0905.00. The PPB has not implemented any portion of this draft. Submit your comments using the “Provide Feedback Here” link located at the end of the directive.

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

0905.00, Non-Force After Action Reporting, Review, and Investigation

Second Universal Review: 1/18/23 – 2/17/23

Refer:

- DIR 0315.30, Satisfactory Performance
- DIR 0330.00, Internal Affairs, Compliant Intake, and Processing
- DIR 0333.00, Criminal Investigations of Police Bureau Employees
- DIR 0345.00, Employee Information System
- DIR 0630.05, Vehicle Interventions and Pursuits
- DIR 0631.70, Investigation of Animal Problems
- DIR 0635.10, Portland Police Bureau Response to Public Order Events
- DIR 0720.00, Special Emergency Reaction Team (SERT) and Crisis Negotiation Team (CNT) Use
- DIR 0740.00, Explosive Device Incidents and EDU
- DIR 0900.00, General Reporting Guidelines
- DIR 0910.00, Use of Force Reporting, Review, and Investigation
- DIR 1010.00, Use of Force
- After Action Form
- ICS forms

Definitions:

- **Administrative Review:** A written determination that requires the gathering and evaluating of information to develop a course of action.
- **After Action Report:** A written report that describes a police action and assesses its adherence to policy through critique and evaluation using required criteria.

Policy:

1. This directive establishes requirements for reporting, reviewing, and investigating certain non-force related member actions and events.
2. The Bureau is committed to promoting and preserving systems of transparency and accountability. When member action warrants administrative review, the Bureau is dedicated to reporting and investigating the event to determine if the member’s action was in accordance with Bureau training and policy.

Procedure:

1. Non-Force After Action Reporting Requirements.
 - 1.1. Supervisors shall complete an After Action Report for the following events:
 - 1.1.1. Member injury resulting in hospital admission or death. For all other member injuries, supervisors shall enter critiques and recommendations in the appropriate section of the injury log entry.
 - 1.1.2. Injury to a suspect in custody, not sustained through member use of force.
 - 1.1.3. Police vehicle collision.

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- 1.1.4. Any incident or event for which an Incident Action Plan was written.
- 1.1.5. Damage to or loss of city property.
- 1.1.6. Any other non-force incident or event, as directed.
- 1.1.7. Vehicle Pursuits.
- 1.1.8. Special Emergency Reaction Team (SERT), Crisis Negotiation Team (CNT), or Public Order Unit (POU) deployments that are managed by a Critical Incident Commander (CIC) or a Crowd Management Incident Commander (CMIC).
- 1.1.9. Explosives Disposal Unit (EDU) deployments where an energetic tool is used.
- 1.1.10. Any Bureau-issued weapon use against an animal.
- 1.2. Directive 0910.00, Use of Force Reporting, Review, and Investigation, governs all use of force reporting. Nothing in this directive replaces the requirements outlined in Directive 0910.00.
- 1.3. After Action reports must meet the requirements of Directive 0345.00, Employee Information System (EIS).
- 1.4. The chain of review for Non-Force After Action Reports will end at the RU Manager, except for those instances outlined below, which will be reviewed by the appropriate Assistant Chief.
 - 1.4.1. Injuries to a member or suspect in custody, that result in hospital admission or death.
 - 1.4.2. Police Vehicle Collisions that require an Oregon Traffic Crash Report, or that result in an injury to any person.
 - 1.4.3. Incident or events for which an Incident Action Plan was written, that require resources or funding (other than cost recovery or secondary employment) outside of the originating RU.
 - 1.4.4. All Vehicle Pursuits.
 - 1.4.5. SERT, CNT, or POU deployments that are managed by a Critical Incident Commander (CIC) or a Crowd Management Incident Commander (CMIC).
2. Non-Force After Action Report Format.
 - 2.1. The format shall not be changed or altered without permission of the Chief of Police. The report format shall include:
 - 2.1.1. Summary: The summary will be a short one or two paragraph narrative that describes the significant facts of the event.
 - 2.1.2. Resources: Discuss resources used for the incident, such as approximate number of personnel, specialty units, special equipment, outside agencies, or any other Bureau or City of Portland resources.
 - 2.1.3. Critique Findings and Recommendations: The critique findings and recommendations will contain a thorough analysis of the incident. It will address any applicable directives, whether or not members complied with such directives, and any recommendations made or actions taken to address issues.

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- 2.1.4. Supporting Documentation: The After Action Report shall include supplemental information related to the incident.
3. Non-Force After Action Reporting and Review.
 - 3.1. The Sergeant shall complete an After Action Report within 7 days of the event.
 - 3.2. The RU Manager shall review the After Action Report and submit recommendations within 21 days from the date of the event.
 - 3.3. The appropriate Assistant Chief or designee shall review After Action Reports when applicable within 28 days of the event.
 - 3.4. Upon approval by the RU Manager or appropriate Assistant Chief, all After Action Reports shall be uploaded to and stored in the appropriate recordkeeping system.
 4. Non-Force After Action Reporting Accountability.
 - 4.1. The overseeing Assistant Chief shall forward copies of the Non-Force After Action to the Training Division and Internal Affairs when there are training deficiencies and/or claims of misconduct implicated in the report that cannot be resolved in the after action.
 - 4.2. All supervisors in the chain of command shall be held accountable for inadequate reports and analysis. As a result, all supervisors shall be subject to corrective action or discipline for the accuracy and completeness of After Action Reports completed by other supervisors under their command. Corrective or disciplinary action may include training, demotion, and/or removal from a supervisory position, based on repeated deficient report reviews at any level of command.
 - 4.3. Where member action indicates policy, training, tactical or equipment concerns, the immediate supervisor shall document those concerns in the After Action Report. The RU Manager or appropriate Assistant Chief shall ensure that concerns are addressed in a timely manner.
 - 4.4. When, after investigation, member action is found to violate policy, the Bureau shall ensure that member misconduct is adequately addressed and, when appropriate, investigative findings and corrective action are taken fairly and expeditiously to resolve the issue.
 - 4.5. The appropriate Assistant Chief, or designee, has the discretion to reassign an investigation to the Detective Division, Professional Standards Division, or any Bureau supervisor, thereby taking it out of the After Action chain of command as described.
 - 4.6. The Chief may delegate the authority to review, audit, and authenticate After Action Report entries to ensure consistency across the Bureau.

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[Provide Feedback Here.](#)

DRAFT

0905.00, Non-Force After Action Reporting, Review, and Investigation

Refer:

- DIR ~~3150315~~.30, Satisfactory Performance
- DIR ~~3300330~~.00, Internal Affairs, Compliant Intake, and Processing
- DIR ~~3330333~~.00, Criminal Investigations of Police Bureau Employees
- DIR ~~3450345~~.00, Employee Information System
- DIR ~~6300630~~.05, Vehicle Interventions and Pursuits
- DIR 6350631.70, Investigation of Animal Problems
- DIR 0635.10, ~~Crowd Management/Crowd Control~~Portland Police Bureau Response to Public Order Events
- DIR ~~7200720~~.00, Special Emergency Reaction Team (SERT) and Crisis Negotiation Team (CNT) Use
- DIR ~~7400740~~.00, Explosive Device Incidents and EDU
- DIR 0900.00, General Reporting Guidelines
- DIR 0910.00, Use of Force Reporting, Review, and Investigation
- DIR 1010.00, Use of Force
- After Action Form
- ~~Operation Order Form~~
- ICS forms

Definitions:

- Administrative Review: A written determination that requires the gathering and evaluating of information to develop a course of action.
- After Action Report: A written report that describes a police action and assesses its adherence to policy through critique and evaluation using required criteria.

Policy:

1. This directive establishes requirements for reporting, reviewing, and investigating certain non-force related member actions and events.
- ~~1.2. The Bureau is committed to promoting and preserving systems of transparency and accountability. When member action warrants administrative review, the Bureau is dedicated to reporting and investigating the event to determine if the member's action was in accordance with Bureau training and policy. This policy establishes the general reporting guidelines for all non-force events or incidents.~~

Procedure:

1. Non-Force After Action Reporting Requirements.
 - 1.1. Supervisors shall ~~be required to~~ complete an After Action Report for the following events:
 - 1.1.1. Member injury resulting in hospital admission or death. For all other member injuries, supervisors shall ~~be required to~~ enter critiques and recommendations in the appropriate section of the injury log entry.
 - 1.1.2. Injury to a suspect in custody, not sustained through member use of force.
 - 1.1.3. Police vehicle collision.
 - 1.1.4. Any incident or event for which an Incident Action Plan was written.

- 1.1.5. Damage to or loss of city property.
- 1.1.6. Any other non-force incident or event, as directed.
- ~~1.1.7. Vehicle Pursuit without force implications. Supervisors shall refer to Directive 630.05, Vehicle Intervention and Pursuits, for additional guidance. Supervisors shall follow the procedures set forth in Directive 630.05, Vehicle Interventions and Pursuits and Directive 1010.00, Use of Force, for all pursuit-related after action reporting requirements.~~
- 1.1.7. Vehicle Pursuits.
- 1.1.8. Special Emergency Reaction Team (SERT), Crisis Negotiation Team (CNT), or ~~Rapid Response Team (RRT)~~Public Order Unit (POU) deployments that are managed by a Critical Incident Commander (CIC) or a Crowd Management Incident Commander (CMIC). ~~Supervisors shall refer to Directive 720.00, SERT and CNT Use, or Directive 635.10, Crowd Management/Crowd Control for additional guidance. If force is used, the force After Action shall be incorporated as required by Directive 1010.00, Use of Force.~~
- 1.1.9. Explosives Disposal Unit (EDU) deployments where an energetic tool is used. Supervisors shall refer to
- 1.1.10. Any Bureau-issued weapon use against an animal.
- ~~1.1.9. Directive 740.00, Explosive Device Incidents and EDU, for additional guidance.~~
- 1.2. ~~Supervisors shall follow the procedures set forth in Directive 10100910.00, Use of Force, for Reporting, Review, and Investigation, governs all use of force-related after action reporting. Nothing in this directive replaces the requirements outlined in Directive 0910.00.~~
- 1.3. After Action reports must meet the requirements of Directive ~~3450345.00~~, Employee Information System (EIS).
- 1.4. The chain of review for Non-Force After Action Reports will end at the RU Manager, except for those instances outlined below, which will be reviewed by the appropriate Assistant Chief.
 - 1.4.1. ~~After Action Reports for~~ Injuries to a member or suspect in custody, that result in hospital admission or death ~~will be reviewed and approved by the appropriate Assistant Chief.~~
 - 1.4.2. ~~After Action Reports for~~ Police Vehicle Collisions that require an Oregon Traffic Crash Report, or that result in an injury to any person, ~~will be reviewed and approved by the appropriate Assistant Chief.~~
 - 1.4.3. ~~After Action Reports for~~ Incident or events for which an Incident Action Plan was written, that require resources or funding (other than cost recovery or secondary employment) outside of the originating RU ~~will be reviewed and approved by the appropriate Assistant Chief.~~
 - 1.4.4. ~~After Action Reports for~~ All Vehicle Pursuits ~~will be reviewed and approved by the appropriate Assistant Chief.~~
 - 1.4.5. ~~After Action Reports following~~ SERT, CNT, or RRTPOU deployments that are managed by a Critical Incident Commander (CIC) or a Crowd Management

Incident Commander ~~will be reviewed and approved by the appropriate Assistant Chief.(CMIC).~~

2. Non-Force After Action Report Format ~~and Deadlines.~~

2.1. ~~Supervisors shall complete the non force After Action form posted on the Portland Police Bureau (PPB) Intranet under the “after action” link. The overseeing Assistant Chief (AC) will forward copies to the Training Division and Internal Affairs, when there are training deficiencies or claims of misconduct implicated in the report and that cannot be resolved in the after action.~~ The format shall not be changed or altered without permission of the Chief of Police. The report format shall include:

2.1.1. Summary: The summary will be a short one or two paragraph narrative that describes the significant facts of the event.

~~2.1.2. Personnel Costs (if applicable): These costs will be calculated using the following formula: The number of individuals participating per rank (use the highest rank) or category multiplied by the hourly wage for that rank or category multiplied by the total hours.~~

2.1.2. Resources: Discuss resources used for the incident, such as approximate number of personnel, specialty units, special equipment, outside agencies, or any other Bureau or City of Portland resources.

2.1.3. Critique Findings and Recommendations: The critique findings and recommendations will contain a thorough analysis of the incident. It will address any applicable directives, whether or not members complied with such directives, and any recommendations made or actions taken to address issues.

2.1.4. Supporting Documentation: The After Action Report shall include supplemental information related to the incident.

3. Non-Force After Action Reporting and Review.

~~2.2.3.1. The Sergeant shall complete an After Action Report within seven7 days of the event. ~~Exceptions to this requirement must be approved by the Responsibility Unit (RU) Manager of the precinct, division or unit where the supervisor is assigned. This approval must be documented in the After Action Report.~~~~

~~2.3.3.2. The RU Manager, ~~Critical Incident Commander (CIC), or Crowd Management Incident Commander (CMIC)~~ shall ~~complete a review~~ the After Action Report and submit recommendations, ~~when required under section 1.4, to the appropriate Assistant Chief~~ within 21 days from the date of the event. ~~Exceptions to this requirement must be approved by the appropriate Assistant Chief and the approval must be documented in the After Action Report.~~~~

~~2.4.3.3. The appropriate Assistant Chief or designee shall ~~complete a review of the~~ After Action Reports, ~~listed under section 1.4., when applicable~~ within 28 days ~~from of~~ the event.~~

~~2.5.3.4. Upon approval by the RU Manager, or appropriate Assistant Chief, all After Action Reports shall be uploaded to and stored in the appropriate recordkeeping system.~~

3.4. Non-Force After Action Reporting Accountability.

4.1. The overseeing Assistant Chief shall forward copies of the Non-Force After Action to the Training Division and Internal Affairs when there are training deficiencies and/or claims of misconduct implicated in the report that cannot be resolved in the after action.

3.1.4.2. All supervisors in the chain of command shall be held accountable for inadequate reports and analysis. As a result, all supervisors shall be subject to corrective action or discipline for the accuracy and completeness of After Action Reports completed by other supervisors under their command. Corrective or disciplinary action may include training, demotion, and/or removal from a supervisory position, based on repeated deficient report reviews at any level of command.

3.2.4.3. Where member action indicates policy, training, tactical or equipment concerns, the immediate supervisor shall document those concerns in the After Action Report. The RU Manager or appropriate Assistant Chief shall ensure that concerns are addressed in a timely manner.

3.3.4.4. When, after investigation, member action is found to violate policy, the Bureau shall ensure that member misconduct is adequately addressed and, when appropriate, investigative findings and corrective action are taken fairly and expeditiously to resolve the issue.

3.4.4.5. The appropriate Assistant Chief, or designee, has the discretion to reassign an investigation to the Detective Division, Professional Standards Division, or any Bureau supervisor, thereby taking it out of the After Action chain of command as described.

3.5.4.6. The Chief may delegate the authority to review, audit, and authenticate After Action Report entries and to ensure consistency across the Bureau.

#1

COMPLETE

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Q1

Please provide feedback for this directive

Section 1.4 is not consistent with current practice or current proposed practice related to the Collision Review Board (CRB) (Directive 640.52 - Vehicle Collision Review Board).

1.4.2. "After Action Reports for Police Vehicle Collisions that require an Oregon Traffic Crash Report, or that result in an injury to any person, will be reviewed and approved by the appropriate Assistant Chief."

All collisions, regardless of Oregon Traffic Crash Report or injury, should be routed through the Chief's Office to the CRB.

Q2

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

Name **CRB Coordinator**

#2

COMPLETE

Collector: Web Link 1 (Web Link)
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Q1

Please provide feedback for this directive

COMMENTS ON INTELLIGENCE, CONDUCT, AND REPORTING DIRECTIVES MAY 2021

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

Portland Copwatch (PCW) has included below our comments on the Directives posted for review in late May . We begin with the new Directive on Criminal Intelligence Files (660.00), which thankfully was posted with a 30 day timeline. The other seven policies listed, which only have a 15 day turnaround time, were previously posted in December 2018 (reporting) and February 2019 (conduct). We note below where the Bureau made changes and, more often, where they did not.

When Directives are re-posted, it would be helpful to include a link to the previous Executive Summary file to aid people's understanding of previous changes, previous recommendations, and reasons the Bureau gave for not accepting some changes.

We still urge the Bureau to add letters to section headings (Refer, Definitions, Policy, Procedure) to avoid the problem that there are multiple sections with the same numbers, and to add numbers to each of the Definitions. Our comments below refer to the Procedure Section unless otherwise noted.

DIRECTIVE 905.00 NON-FORCE AFTER ACTION REPORTING

Back on Track: The Bureau seems to have agreed with our earlier comment not to "move the goalposts" by lengthening deadlines by seven days each for RU managers and Assistant Chiefs to review After Action Reports. We appreciate the effort to keep within the 180 day investigation timeline goal as the City agreed to when signing the US Department of Justice Settlement Agreement.

Refuted, but Not Fully Agreed: In the Executive Summary, the Bureau seems to be saying that it is too much of an effort to write an After Action Report when officers are injured and treated at a hospital without being admitted (Section 1.1.1), when Special Emergency Reaction Team, Crisis Negotiation Team or Rapid Response Team members show up without a supervisor/Incident Commander (Section 1.1.8), or when the PPB destroys firearms and narcotics (previous Section 1.7). Do these incidents really happen so often that it will overwhelm an Assistant Chief with paperwork?

Lower Level Approval: The Directive also was changed to allow an RU Manager, rather than an Assistant Chief, to review After Action Reports with only five exceptions (Section 1.4). We are not sure we agree with letting all other incidents escape oversight at a higher level.

Particularly given that various deployments to protest actions during the racial justice uprisings in 2020 may or may not have involved pre-planning (1.4.3) or been overseen by Critical Incident Commanders (1.4.5), there should be more reporting required rather than less. As we learned from Use of Force Reports last year, the PPB does not always record individual uses of force at protest actions. Therefore, After Action Reports should be required any time police show up uninvited and/or use any kind of force during an event involving a crowd.

Repeating and Clarifying Misconduct Suggestions: We believe the Bureau misunderstood our previous comments about sending information to the Professional Standards Division (PSD). To be clear, we asked that "policy, training, tactical or equipment concerns" which are required to be sent to an Assistant Chief (Section 3.2) also be sent to Professional Standards for attention to such issues. Previous experts and community members have suggested adding these categories as potential reasons for community complaints in instances where officers did not necessarily violate policy. While the Bureau said that Directive 905.00 does not prohibit an Assistant Chief from sending results of a Supervisor's investigation to PSD where it allows assignment to the Detective Division (Section 3.4), we are saying that "or any Bureau supervisor" is not as clear as explicitly listing PSD in that Section. In fact, such findings should also

be sent to the civilian oversight body-- whether it is the Independent Police Review or its successor.

CONCLUSION

We thank the Bureau for seeking for community input, and the few instances we noted here where our substantive comments were incorporated into policies. Often, previous responses have only been to minor grammatical or typographical errors we found. There are many ways to provide public safety without society's current over-reliance on police. But so long as there are police, our goal is to see that the Bureau is free from corruption, brutality and racism.

Thank you for your time

--dan handelman and other members of
--Portland Copwatch

Q2

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

Name **Portland Copwatch**
