

RESOLUTION No. 37496 As Amended

Immediately cease cooperation between PPB and militarized federal forces (Resolution)

WHEREAS, the First Amendment to the U.S. Constitution guarantees the right of the people peaceably to assemble, and to petition the government for a redress of grievances;

WHEREAS, since its passage, many founding mothers and fathers have fought and died for over 200 years to expand these rights to all Americans;

WHEREAS, following the death of George Floyd, Portlanders exercised these rights en masse to say that Black Lives Matter;

WHEREAS, beginning on June 20, 2020 at a rally in Tulsa, President Trump began referring to Portland “leftist radicals” as part of his campaign speeches;

WHEREAS, the Associated Press has reported that militarized federal agents were deployed to Portland following a June 26, 2020 executive order to “protect monuments”;

WHEREAS, these federal agents represent a new and unprecedented domestic deployment that includes the Department of Homeland Security, the U.S. Marshals Service, the Federal Protective Service and U.S. Customs and Border Protection;

WHEREAS, even the Department of Homeland Security has acknowledged that these forces—many of whom have been redeployed from positions on U.S.-international borders—have no training in crowd control;

WHEREAS, the Trump Administration is reported to have deployed similar forces to the cities of Seattle and Washington, DC and has expressed a clear desire to impose militarized federal control in U.S. cities to end protests, as occurred on June 22, 2020 when federal troops attacked peaceful protestors in Lafayette Square in Washington, DC;

WHEREAS, such actions are not compatible with American democracy;

WHEREAS, Portland supports democracy and opposes authoritarianism;

WHEREAS, militarized federal agents began arresting Portland residents on or about July 2, 2020;

WHEREAS, on July 11, a militarized federal agent shot an unarmed protestor in the face with an impact munition;

WHEREAS, militarized federal agents in unmarked vehicles reportedly detained several Portlanders in apparent violation of their basic constitutional rights;

WHEREAS, Governor Kate Brown stated that President Trump “is deploying federal officers to patrol the streets of Portland in a blatant abuse of power by the federal government,” and called for the Department of Homeland Security to remove all federal

troops from Portland streets;

WHEREAS, Mayor Ted Wheeler called on militarized federal agents to remain in federal buildings or leave the city;

WHEREAS, under Oregon state law, tear gas can only be used after police have declared a riot and announced an intent to use gas, given people time to disperse and provide another warning immediately prior to its use;

WHEREAS, progressive Mayors from around the country are speaking together with one voice against federal violence and federal intervention in our community, calling on the US Attorney General and the Acting Secretary of Homeland Security to immediately withdraw their forces, and calling on Senate and House leadership to immediately investigate unconstitutional federal actions;

WHEREAS, this week the president plans to escalate violence in Chicago by sending additional federal troops to engage demonstrators;

WHEREAS, the Portland Police Bureau and federal law enforcement operate in separate incident command structures and do not plan or direct each other's operations;

WHEREAS, the Portland Police Bureau exists for the protection of Portland residents and is fully accountable to the elected City Council, as specified in Portland City Code 3.20.020: "...all the powers of the City connected with and incident to the appointment, discipline, and government of its police shall be vested in the Council, except as otherwise provided by Charter...."

NOW, THEREFORE, BE IT RESOLVED, that all members of the Portland Police Bureau shall not provide, request, or willingly receive operational support (which includes but is not limited to embedding in a federal incident command center, sharing or receiving information from above defined federal forces, engaging in policing or crowd control measures with above federal forces) from any agent or employee representing or constituting part of deployment under executive order from the president, be they from Department of Homeland Security, the U.S. Marshals Service, the Federal Protective Service, U.S. Customs and Border Protection or any other service;

BE IT FURTHER RESOLVED, that any federal request for operational cooperation from the Portland Police Bureau shall be reported immediately to the entire City Council via email;

BE IT FURTHER RESOLVED, that any member of the Portland Police Bureau who provides, requests, or willingly receives operational support (which includes but is not limited to embedding in a federal incident command center, sharing or receiving information from above defined federal forces, engaging in policing or crowd control measures with above federal forces) from militarized federal forces, (which includes but is not limited to federal forces deployed under the current executive order of the president from the above listed federal agencies) will be subject to discipline for violating the policies of the elected City Council;

BE IT FURTHER RESOLVED, that the Portland City Council views current federal operations in Portland as an unprecedented and unconstitutional abuse of power by the federal government.

BE IT FURTHER RESOLVED, this resolution is binding city policy.

Adopted by the Council: **July 22, 2020**

Commissioner Chloe Eudaly

Prepared by: Andrés Oswill

Date Prepared: 7/21/2020

Mary Hull Caballero

Auditor of the City of Portland

By *Keelan McClymont*

Deputy

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<p>INTRODUCED BY Commissioner/Auditor: Chloe Eudaly</p>	<p>CLERK USE: DATE FILED <u>July 22, 2020</u></p>
<p>COMMISSIONER APPROVAL</p> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p>	<p>By: <u><i>Keelan McClymont</i></u> Deputy</p> <p>ACTION TAKEN:</p>
<p>Sonia <small>Digitally signed by Sonia Schmanski Date: 2020.07.22 20:38:25 -07'00'</small> Mayor—Finance & Administration</p>	
<p>Position 1/Utilities - Fritz</p>	
<p>Position 2/Works - Vacant</p>	
<p>Position 3/Affairs - Hardesty</p>	
<p>Position 4/Safety - Eudaly <small>Marshall Runkel Digitally signed by Marshall Runkel Date: 2020.07.21 20:38:07 -07'00'</small></p>	
<p>BUREAU APPROVAL</p> <p>Bureau: Bureau Head:</p>	
<p>Prepared by: Andrés Oswill Date Prepared: 7/21/2020</p>	
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date</p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/> 10 min</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA		COMMISSIONERS VOTED AS FOLLOWS:	
		YEAS	NAYS
1. Fritz	<i>Tim Coail</i>	✓	
2. Vacant			
3. Hardesty	<i>John Hardesty</i>	✓	
4. Eudaly	Marshall Runkel <small>Digitally signed by Marshall Runkel Date: 2020.07.21 20:38:25 -07'00'</small>	✓	
Wheeler	Sonia Schmanski <small>Digitally signed by Sonia Schmanski Date: 2020.07.22 09:29:46 -07'00'</small>	✓	