

Portland Protests 2020: Report & Recommendations

Presented by the
Citizen Review Committee Crowd Control & Use of Force Workgroup



Highlights

Part 1: Introduction & Background →

Part 2: Forum & Survey Summary →

Part 3: Report Goals & Process →

Part 4: Our Findings →

Part 5: Our Recommendations →

Part 6: Next Steps →



Introduction

The Citizen Review Committee was created in 2001 to help improve police accountability, promote higher standards of police services, and increase public confidence. Volunteer CRC members are appointed by City Council.

The purpose of the Citizen Review Committee's Crowd Control and Use of Force workgroup (CCUFWG) is to critically examine the Portland Police Bureau's (PPB) use of force policies, training, and tactics in order to make recommendations based on best practices and legal standards. In response to the murder of George Floyd by police in May 2020, thousands of Portlanders took to the streets daily for months in protest of police brutality and the disproportionate impact on communities of color. During these protests, many concerning confrontations between Portland Police and the community occurred. In response, this workgroup set out to gather community input about what was happening on the ground at protests through a public forum and online surveys.

Our report compiles the information we gathered and the recommendations we have generated based on thorough analysis of community feedback, discussion with PPB leadership, and review of existing policies, established best practices, and legal standards.





Who wrote this report?

The Crowd Control and Use of Force Workgroup consists of 4 members of the Citizen Review Committee. Additionally, we invite the community to join our workgroup and contribute to the goals and mission by dedicating their time to our work. We are lucky to have had many community members join us in facilitating forums, analyzing survey data, doing research, and ultimately writing our final report.

CRC Members

Candace Avalos
(Chair)
Sylvan Fraser
Taylor Snell
Yume Delegato

Community Members

Barbara Christiansen
Elizabeth Knight
Michael Walsh
Justine Vernigan
Melora Golden
Jake Dockter

Forum Summary

July 8, 2020, the CCUFWG hosted a two hour virtual community forum. 120 community members attended, and were randomly assigned to 5 breakout rooms where a facilitator guided each group through four topics:

(1) Equipment Use, (2) De-escalation,
(3) Bias, and (4) Training

These guided discussions were a blend of community member experiences and attendees' thoughts, opinions, and ideas on the four topics. A notetaker recorded member experiences, occasional quotes, and made note of recurring themes in discussions.

Equipment Use

Tear Gas

- Disproportionately affecting large numbers of people, including non-participants like unsheltered people, or people in their homes
- Causing terror, panic, fear, trauma
- Eyes swelling shut, temporary hearing loss, difficulty breathing, asthma attacks, respiratory issues, and persistent symptoms for days following
- Lots of concern over whether the gas was legal, safe to use on human beings, and questions about the wisdom of its deployment in an airborne pandemic

Munitions

- Descriptions of large rubber bullets and "pepper balls"
- Described as dangerous, inaccurate, and indiscriminate
- Causing significant injuries, bleeding, bruises, burns

Militarization: Equipment and Armor

- Setting a tone or expectation for conflict
- Communicating messages of intimidation, combativeness to free speech demonstrations, notably against protest messaging critical of police



Forum Summary

Continued...

De-escalation

- Community theme of seeing little to no acts of de-escalation
- Broad agreement that police escalated tension through escalating uses of force aimed at subduing demonstrations through violence
- Some noted more peaceful demonstrations when police were not immediately present

Bias

- Treated Racial Justice demonstrators more harshly
- Favored or protected Alt-Right/Proud Boy counter protestors
- Targeting people of color, or journalists

Training

- Lack of training in proportionality for force
- Reliance on training in tactics that escalate
- Need for “people skills”



Survey Summary

The CCUFWG also sought citizen perspectives regarding PPB's protest response via two surveys (ending July 8th and September 14th). Both surveys invited citizens who had experienced police activity to share their thoughts and observations about PPB tactics and behaviors. The second survey contained more questions specific to respondents' actual involvement and observations, but this survey was also complicated by an influx of responses after the deadline which dramatically differed overall from the responses submitted by the original deadline. More detailed data available in Appendices C and E.

Overall, survey respondents indicated a desire for the following changes:

- a greater emphasis on de-escalation techniques
- demilitarization of police gear
- ending the use of batons, CS gas, pepper bombs/spray, flash bangs, rubber bullets
- eliminating the use of LRAD against peaceful protesters who follow directions

Some of this group asked for clarification about:

- who can declare an unlawful assembly/riot,
- how police define an unlawful assembly/riot, and
- how police inform citizens of the declaration





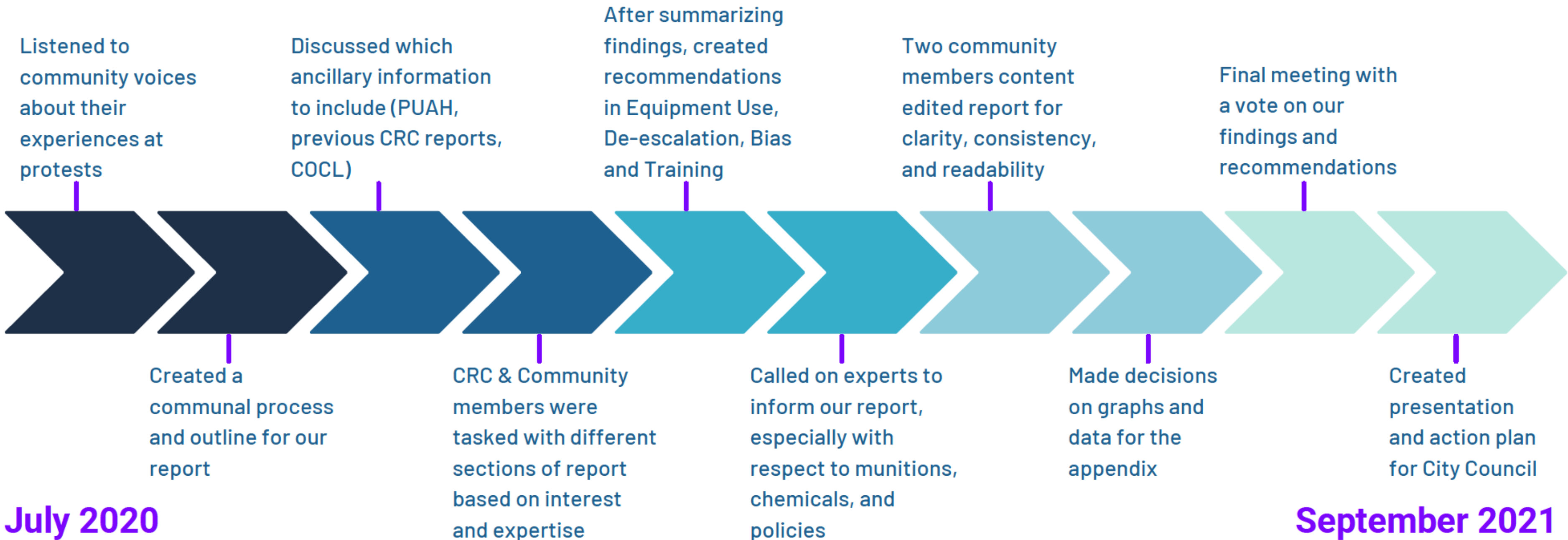
Report Goals

- Make a record of the crowd control and force-related responses to the historic participation by Portland community members in calls for racial justice and systemic change in policing and accountability, which are highly relevant to this Workgroup's areas of focus.
- Gather community members' observations, concerns, and other sentiments, and process this information to form the basis of the report's "Findings."
- Against a backdrop of available information from PPB leadership, chemical weapons researchers, independent monitoring entities (such as COCL), and CRC's own previous reports (including our 2014 Crowd Control Report) and experience, translate present findings into implementable recommendations for policy and/or practice changes to ensure PPB's engagement respects the health, safety, and rights of community members, including those engaged in protest.
- Work with the appropriate leaders and decision-makers to see these recommendations adopted and followed.



Our Process

A snapshot of how we collected community feedback and our process to write this report.





Equipment Use Findings

Community members participating in the forum and responding to the surveys commented on PPB's use of tear gas and impact munitions most frequently, but also described flash bangs, "pepper balls," the LRAD (both as a communication device and as a sonic weapon), and batons. Three major themes around equipment use emerged from the forum and the surveys: lack of precision, indiscriminate use, and lack of proportionality.

1 Lack of precision

- Equipment-based uses of force that affected individuals who had not committed the act(s) that force was used in response to
- Munitions striking people in the head
- Orders via the LRAD that did not make sense or were contradictory

2 Indiscriminate use

- Equipment-based uses of force that affected groups or crowds
- Random deployment, or deployment without provocation
- Tear gas and the LRAD (in its capacity as a sonic weapon) affecting bystanders and area residents, including houseless individuals.

3 Lack of proportionality

- PPB officers deploying tear gas and/or rubber bullets in response to a thrown water bottle, fence-shaking, yelling, or refusal to disperse
- Use of batons on individuals who were on the ground
- "Officer safety" as a justification for uses of force



De-escalation Findings

Many community members indicated a strong desire for PPB to employ de-escalation tactics in lieu of force and that they did not observe PPB to use de-escalation tactics. However, some community members mentioned a few instances where they felt police successfully reduced tensions. Responses regarding de-escalation included themes of miscommunication, deliberate acts of escalation, and specific acts of de-escalation. Some responses suggested communication with protest leadership, having police remain at a distance, targeted removal of agitated individuals, and calls for empathy and humanity instead of uses of force.

1 Miscommunication

- Desire for clear and defined rules of engagement with protesters
- Desire for clear warnings before uses of force
- Desire for meaningful opportunities to obey orders
- Frustration with conflicting orders

2 Escalating acts

- Charging or rushing at those who are attempting to leave
- Military appearance as a form of communication, or signaling the expectation of violence
- Kettling and riot declarations
- Seizing community members' property

3 De-escalating acts

- PPB's decisions to withdraw or stay away from a protest space
- Officers' assistance in removing agitators from a protest crowd
- Bicycle officers not in riot gear, not holding a protest line
- Officers helping individuals locate lost items



Bias and Training Findings

There were four categories of perceived bias commonly described by community members. Three of these themes could be found across the forum and the surveys, while the last theme was only prominent in the survey responses. Those themes were: bias against racial justice protesters; bias in favor of right-wing groups; bias against race, ability, or press; and bias in favor of racial justice protesters or no bias.

1 Bias against racial justice protesters

- Major bias theme from the forum and surveys centered on perceptions that Portland Police had a bias against racial justice protesters
- Because police were in part the subjects of the protests, they responded more harshly

2 Bias in favor of right-wing groups

- Individuals discussed PPB's willingness to allow Proud Boys to march uninterrupted, or a lack of action by police when racial justice protesters were attacked by right-wing counter-protesters
- Lack of communication occurring between PPB and racial justice protesters.

3 Bias against race, ability, and press

- Targeting Black/POC protesters at higher rates than others
- Protesters in wheelchairs or limited mobility being arrested due to their inability to comply with commands
- Press being targeted with specific acts of force despite not participating directly in the protests



Bias and Training Findings

There were four categories of perceived bias commonly described by community members. Three of these themes could be found across the forum and the surveys, while the last theme was only prominent in the survey responses. Those themes were: bias against racial justice protesters; bias in favor of right-wing groups; bias against race, ability, or press; and bias in favor of racial justice protesters or no bias.

4 Bias in favor of racial justice protesters or no bias

- Some survey responses indicated that PPB had a bias in favor of racial justice protesters; referred to those participating in the racial justice protests as “ANTIFA,” “BLM,” or “communists”
- Giving protesters too much leeway, or allowing property damage and violence to occur for political reasons
- A smaller subset of survey respondents described PPB as demonstrating professionalism and neutrality in the face of anti-police demonstrations



Equipment Use Recommendations

- Commit to transparency regarding officer decision-making in situations where force is used in crowd management, including by publicly releasing reports relevant to the use-of-force event.
- Implement a more restrictive standard governing force that poses risks of indiscriminate harm to bystanders and/or individuals gathered in crowds.
- Create a plan to mitigate the risks to public health and the environment in the event of chemical weapons use.



Equipment Use Recommendations

- Create clear and detailed guidance that establishes what levels of force are permissible under common circumstances that may arise in the course of crowd management.
- Make permanent the existing ban on the use of CS gas by PPB, and extend it to other chemical weapons used for crowd management.



De-Escalation Recommendations

- Facilitate movement of people and crowds at protests instead of meeting them with protest lines.
- Avoid “less lethal” munitions and cease use of weapons that target groups, rather than individuals, when largely peaceful crowds are present.
- Avoid force as an escalating act.
- Adopt an “out of sight” response strategy and examine the necessity of a large, visible police presence at protest events.



De-Escalation Recommendations

- Prioritize clear communication. Give real-time, calm, and clear descriptions of police actions over the speaker system. Provide clear and timely information about impending police action.
- Encourage and recognize officers' empathetic acts. Casual interactions, rendering aid, and less threatening police presence (such as officers on bicycles) may put community members at ease and build trust.
- Adopt "soft clothes" for protest response. Opt for ordinary patrol uniforms or clothing that does not suggest the expectation of violence or combat when attending or responding to events where violence has not occurred.



Bias and Training Recommendations

- Increase anti-bias training hours and frequency.
- Require comprehensive cultural diversity and anti-racism training vetted by members of vulnerable communities.
- Assess Bureau applicants and existing employees for harmful biases.
- Develop de-escalation training aligned with the Newark Police Department and Madison Model frameworks to support “force as a last resort” policies.



Bias and Training Recommendations

- Provide officers with the opportunity to learn and retain necessary skills.
- Integrate robust officer wellness training throughout the Bureau.
- Publicly report training procedures and policies currently in use by PPB and disclose proposed training procedures and policies to the public for comment before implementation.



Next Steps:

1

City Council Accountability

We need the city to publicly acknowledge the harm to our community as a result of police violence—not just protestors but bystanders, houseless folks, and people in their homes being affected.

2

City Council Official Vote

An official motion and vote to approve our report and commit to take action to implement the recommendations.

3

Pursue DOJ compliance

Adopting some of our recommendations could help the city get back into substantial compliance with the DOJ. The city may have an opportunity to encourage DOJ oversight of certain aspects of implementation. Let's discuss how the settlement agreement can help drive and support action on our proposals.

4

Improving PPB Directives

We have analyzed the directives in creating our report and have recommendations we'd like to see some collaboration from the city to implement.

5

A Clear Path Forward

We are volunteers who have dedicated time and energy to communicate the community's needs. We need a clear path forward toward solutions to validate this work and honor community voices.



In Summary

Listen

The CCUFWG has listened to community voices for the last year to help City Council understand the impact of last year's police response to racial justice protests.

Respond

Our report compiles community feedback, discussion with PPB leadership, and review of existing policies, established best practices, and legal standards to inform community centered solutions.

Act

We ask that City Council take our feedback and collaborate with the CRC to transform our recommendations into changes in directives, culture, and training at PPB in responding to protests.



A Note from Chair Avalos

The CCUFWG has learned so much on this journey over the last year as we listened to the community's voices during a pivotal racial justice movement to answer for the historic brutality communities have faced and continue to face at the hands of police. We are in a moment of extreme challenges in Portland and the work we've compiled in this report is our way of contributing to the solutions as committed leaders and volunteers on the Citizen Review Committee.

Portlanders show up on the streets because they're passionate about making change in our community. We ask that the city council honor those voices by demonstrating the tangible steps towards change, along with an empathetic understanding of what Portlanders suffered last year while practicing the most basic American right to free speech. There are many more challenges ahead and we have no time to waste.



Thank You

We thank you for your attention. We welcome your comments and questions and look forward to intentional solutions that meet the community's needs.

CONTACT

Citizen Review Committee

Candace Avalos, Chair

Message: 503-823-0146

Fax: 503-823-3530

TTD: 503-823-6868

E-mail: crc@portlandoregon.gov

www.portland.gov/ipr/crc