

## **RESOLUTION No. 37502**

Update resolution requiring Portland Police Bureau to immediately cease cooperation with militarized federal forces (Resolution; amend Resolution No. 37496)

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...."

WHEREAS, on July 22, 2020, Council adopted Resolution No. 37496, as amended, directing the Portland Police Bureau (PPB) to immediately cease cooperation with militarized federal forces conducting crowd control operations in the City pursuant to a deployment by the president under executive order; and

WHEREAS, on July 29, 2020, the Governor of the State of Oregon announced a phased draw-down of militarized federal forces conducting crowd control operations in the City pursuant to a deployment by the president under executive order to be replaced by federally deputized members of the Oregon State Police (OSP); and

WHEREAS, the Council finds it imperative that PPB and OSP work in a unified and coordinated command structure to de-escalate tensions during demonstrations in the City; and

WHEREAS, Council desires to update the directives stated in Resolution No. 37496, as amended, to facilitate and support the transition of OSP members in place of militarized federal forces conducting crowd control operations in the City pursuant to a deployment by the president, and to make other clarifications;

**NOW, THEREFORE, BE IT RESOLVED**, that the directives in Resolution No. 37496, as amended, are superseded by the updated directives in this Resolution, which the Council hereby issues as follows:

- A. No member of the Portland Police Bureau shall provide, request, or willingly receive operational support (which as used in this Resolution includes but is not limited to embedding in a federal incident command center, sharing or receiving information with federal forces, or engaging in policing or crowd control measures with federal forces) for purposes of crowd control or responding to demonstrations from any federal agent or employee deployed under executive order of the president. This prohibition shall not apply to operational support to or from federally deputized OSP members guarding federal facilities.
- B. Any federal request for operational support for purposes of crowd control or responding to demonstrations by any federal agent or employee deployed under an executive order of the president to the Portland Police Bureau shall be reported immediately to the entire City Council via email.

- C. Any member of the Portland Police Bureau who provides, requests, or willingly receives operational support for purposes of crowd control or responding to demonstrations from any federal employee or agent deployed under an executive order of the president in violation of this Resolution will go through the discipline process, including corrective action or discipline, for violating the policies of the elected City Council.
- D. The Portland Police Bureau is prohibited from collaborating with federal agents or employees in any federal investigation of crimes related to crowd control events or demonstrations that occur while federal agents or employees are deployed to Portland under an executive order by the president; provided, however, that the Portland Police Bureau may independently investigate crimes, or intervene to prevent serious criminal conduct, related to crowd control events or demonstrations, regardless of the identity of the alleged perpetrator, victim, or witnesses; and
- E. The Portland City Council views the recent federal operations in Portland as an unprecedented and unconstitutional abuse of power by the federal government; and
- F. Nothing in this Resolution limits or otherwise restricts cooperation and communication between PPB members and OSP members temporarily assigned to guard federal facilities. Once those OSP members are withdrawn, federal agents who are assigned locally will resume these responsibilities and this Resolution does not restrict communications or cooperation between PPB members and employees of the U.S. Marshal's Service for the District of Oregon or locally assigned agents of the Federal Protective Service who are not in Portland as part of a deployment under executive order by the president; and
- G. This resolution is binding City policy.

Adopted by the Council: **August 12, 2020**

Commissioner Mayor Ted Wheeler  
 Prepared by: Tracy Reeve  
 Date Prepared: 08/04/2020

**Mary Hull Caballero**

Auditor of the City of Portland

By *CPhillips*

Deputy

660  
Agenda No.  
**RESOLUTION NO. 37502**  
Title

Update prior Resolution requiring Portland Police Bureau to immediately cease cooperation with militarized federal forces (Resolution; amend Resolution No. 37496)

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| <p><b>INTRODUCED BY</b><br/>Commissioner/Auditor:<br/><b>Mayor Ted Wheeler</b></p>   | <p>CLERK USE: DATE FILED <u>August 4, 2020</u></p>   |
| <p><b>COMMISSIONER APPROVAL</b></p> <p>Mustafa Washington</p> <p>Mayor—Finance &amp; Administration – Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Vacant</p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p>  | <p>Mary Hull Caballero<br/>Auditor of the City of Portland</p> <p>By: <u>Karla Moore-Love</u><br/>Deputy</p> |
| <p><b>BUREAU APPROVAL</b></p> <p>Bureau: City Attorney<br/>Bureau Head:</p> <p>Prepared by: Tracy Reeve<br/>Date Prepared: 8/4/2020</p> <p><b>Impact Statement</b><br/>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p><b>Portland Policy Document</b><br/>If "Yes" requires City Policy paragraph stated in document.<br/>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p><b>City Auditor Office Approval:</b><br/>required for Code Ordinances</p> <p><b>City Attorney Approval:</b><br/>required for contract, code, easement, franchise, charter, Comp Plan</p> <p>Council Meeting Date</p> | <p><b>ACTION TAKEN:</b></p>  |

| AGENDA   | FOUR-FIFTHS AGENDA  | COMMISSIONERS VOTED AS FOLLOWS:   |   |
|--|---|---|---|
| <p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____<br/>(for presentation, testimony and discussion)</p>                              | <p>1. Fritz</p> <p>2. Vacant</p> <p>3. Hardesty</p> <p>4. Eudaly</p> <p>Wheeler</p> | <p>YEAS</p> <p><b>X</b></p> <p></p> <p></p> <p><b>X</b></p> <p><b>X</b></p> <p><b>X</b></p> | <p>NAYS</p> <p></p> <p></p> <p><b>X</b></p> <p></p> <p></p> |
| <p><b>CONSENT</b> <input type="checkbox"/></p> <p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 15 min<br/>(for presentation, testimony and discussion)</p> |   |   |   |