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59-2022

Report

Accept the Portland Police Bureau report to City Council on the 2022 Portland Joint Terrorism Task Force

Accepted

REPORT TO COUNCIL

To: City Council

From: Charles Lovell, Chief of Police


Sgt. Peter Simpson, PPB Criminal Intelligence Unit

Subject: Accept Portland Police Bureau's report to City Council on the Portland Joint Terrorism Task Force (JTTF) - 2022 (Report)

Chief Charles Lovell will present the report on the Bureau's relationship with the Federal Bureau of Investigation's Joint Terrorism Task Force (FBI JTTF) as established by Portland City Council Resolution 37424.

This annual report to Council is a requirement of the City Council's Resolution 37424. The report details the frequency of requested assignments and referrals between the agencies and the number and nature of cases referred. This is the third annual report to Council under the Resolution.

Documents and Exhibits

 [Portland Police Bureau Amended 2022 Joint Terrorism Task Force Report](#) (233.12 Kb)

Impact Statement

 [Impact Statement](#) (189.22 Kb)

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Police](#)

Prepared by

Kathryn Linzey

Date Prepared

January 27, 2022

Requested Agenda Type

Time Certain

Date and Time Information

Requested Council Date

February 1, 2022

Requested Start Time

9:30 am

Time Requested

1 hour

Confirmed Time Certain

Agenda Items

59 Time Certain in [February 1-2, 2022 Council Agenda](#)

Accepted

Motion to accept the report: Moved by Hardesty and seconded by Ryan.

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea



Portland Police Bureau Report to City Council on the Portland Joint Terrorism Task Force (JTTF) – 2022 *Amended*

On May 8, 2019, the Portland City Council adopted Resolution 37424 (As Amended)ⁱ (referred to herein as “resolution”), Establish Parameters of Cooperation between Portland Police Bureau (PPB) and the Federal Bureau of Investigation’s Joint Terrorism Task Force (FBI JTTF)ⁱⁱ.

The resolution states, in part, that by the end of January, a report to City Council shall contain the following information:

- The frequency with which the FBI’s Special Agent in Charge requested the assignment of PPB CIU officers for an investigation;
- The number of cases that were referred to the PPB by the FBI;
- The number of cases that were referred to the FBI by the PPB; and,
- The nature of closed cases referred to the PPB by the FBI, including the demographics of persons investigated; and, the disposition of those cases.

Overview

The mission of the Portland Police Bureauⁱⁱⁱ is to reduce crime and the fear of crime. The PPB works with all community members to preserve life, maintain human rights, protect property and promote individual responsibility and community commitment.

The parameters of cooperation between the PPB and the FBI JTTF, as defined in the resolution, are consistent with this mission statement.

After passage of the resolution and as required by the resolution, the PPB created Directive 750.00, Bureau Cooperation with the Federal Bureau of Investigation's Joint Terrorism Task Force.^{iv} This directive, initially made effective January 2, 2020, is consistent with the resolution and all PPB officers are required to read and sign their acknowledgement of this directive. This directive is subject to annual public review, with outreach to City Council offices to solicit additional feedback. The next review date is scheduled for September 2, 2022.



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On January 6, 2022, all PPB CIU members attended annual refresher training with a member of the Portland City Attorney's Office to ensure compliance with applicable state and federal laws. This training is required as part of the resolution. Additionally, the City Attorney's Office will send a letter to the Oregon Department of Justice to confer on whether or not there were any legal issues with PPB officers working with the JTTF, based on changes to state or federal law.

The City Attorney's Office has advised the PPB CIU that they are not aware of any changes in state or federal law that would preclude them from legally working with the JTTF in any capacity.

2022 Statistical and Information Report to City Council

Presented below are the four areas required to be presented in this annual report:

The frequency with which the FBI's Special Agent in Charge (SAC) requested the assignment of PPB CIU officers for an investigation

The FBI SAC did not request the assignment of PPB CIU officers for criminal investigations in 2021.

The number of cases that were referred to the PPB by the FBI:

In 2021, the FBI JTTF referred one (1) case to the PPB. In accordance with the resolution, this case was shared with the PPB CIU for review and investigative action, which is summarized in later paragraphs.

Per City Council request, PPB reports that no information shared with PPB was based off of facial recognition.

The number of cases that were referred to the FBI by the PPB

In 2021, PPB CIU referred seven (7) cases to the FBI JTTF for review. The nature of these cases included a shooting at a Federal facility^v; a bomb threat to a religious facility; arson^{vi}; a threat of targeted violence to a police officer (subject link to other Federal charges)^{vii}; a threat of targeted violence to an elected official; a bomb threat to a City of Portland bridge; and, a bomb threat to a federal facility. The known demographics of the subjects involved include one Hispanic female and five (5) white males. In two (2) cases, no suspect was identified.

Per City Council request, PPB reports that no information shared with or requested by the FBI violates ORS 181A.250 (Specific information not to be collected or maintained).



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Shooting at a Federal Facility

Portland Police Bureau Case #21-7308

On January 8, 2021, 40-year-old Cody Melby climbed over a security fence at the Hatfield Federal Courthouse and fired several rounds into the building's exterior with a 9mm handgun. Melby then surrendered to Courthouse Security Officers. PPB officers responded and took custody of Melby and began an investigation. The investigation revealed that Melby's actions were, in part, driven by ideology. This incident had both State and Federal criminal components, ultimately resulting in a conviction in Federal court.

Bomb Threat to a Religious Facility

Portland Police Bureau Case #21-61417

On March 7, 2021, a representative of the Rizwan Mosque in Southwest Portland reported to PPB that an unknown person left a voicemail at the mosque, claiming to be a "representative of Antifa" and that they planned on using explosives to hurt people. PPB investigative efforts to identify the suspect were not successful and the case was referred to the FBI JTTF for their review.

Arson

Portland Police Bureau Case #21-680642

On April 13, 2021, a 19-year-old female was arrested after her suspected involvement in starting a fire at the Portland Police Association building in North Portland. This investigation was conducted by PPB and Portland Fire & Rescue Arson Investigators who work with FBI and ATF agents. This suspect has been indicted federally in connection with this case.

Threat of Targeted Violence to a Police Officer (subject link to other Federal charges)

Portland Police Bureau Case #21-801080

On April 24, 2021, an unidentified subject made a social media post about "hunting down" a Portland Police Officer and further stating, "I got a bullet with his name on it." PPB investigation revealed the identity of the subject as a 24-year-old male who was on Federal Pre-Trial Release for other charges. PPB issued the subject a criminal citation for Harassment and referred the case to the FBI JTTF as there was already the pending Federal investigation.



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Threat of Targeted Violence to an Elected Official

Portland Police Bureau Case #21-114180

On April 28, 2021, a video was posted to social media by unknown individuals threatening targeted violence to Mayor Ted Wheeler. PPB investigation identified two subjects who have been subsequently charged criminally in the State of Oregon. This case was referred to the FBI JTTF but ultimately investigated by PPB.

Bomb Threat to a City of Portland Bridge

Portland Police Bureau Case #21-291062

On October 18, 2021, PPB was contacted by the Connecticut State Police regarding a TikTok video wherein a subject made statements about planting explosives to blow up the new I-84 bridge in January 2022. PPB learned that the FBI had also been contacted about this threat and was conducting an assessment, later determined not to be a credible threat. PPB report was referred to the FBI JTTF as they took the lead on the case.

Bomb Threat to a Federal Facility

Portland Police Bureau Case #21-355566

On December 22, 2021, PPB was contacted by a member of the US Marine Corps stationed on Swan Island after a call was received at the Reserve Center where the caller stated something about bombs in the river, vaccine mandates, and stating that he (the caller) was a terrorist. This information was reported up the chain of command on the US military side and the report was referred to the FBI JTTF for review and possible follow-up.

Nature of Closed Cases Referred to the PPB by the FBI (including demographics of persons investigated; and the disposition of those cases)

The following outlines each case referred to the PPB by the FBI that fits the described criteria:

Case 1^{viii}

Report of 14-year-old who posted a statement about bringing a bomb to school on Snapchat. The FBI received the initial threat and determined that the account was linked to a Northeast Portland address, near a Portland high school. An FBI agent and PPB officer contacted the child and his family at the home and determined that there was no credibility to the threat. This incident and investigation occurred on the first day of school.



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White Male (identified)

Case Closed – Subject interviewed, threat determined not to be credible.

Case(s) from Previous Year

In the 2020 JTTF report, one case referred from the FBI to PPB remained open at the end of the year and remained open in 2021. Complainant in this case reported threats to both PPB and FBI. The case is now closed after referral to an out-of-state FBI Field Office for follow-up investigation.

Case 10 (from 2020 JTTF report)^{ix}

Report of a death threat via text message to a faith leader.

Unidentified Suspect

Case Closed – Case referred back to FBI Portland, routed to FBI Tampa for investigation.

Questions Presented by City Council

Did JTTF receive any data on the 2020 protests and did they share that or any other relevant data about Portlanders with PPB? Did the opposite occur with PPB collected data being shared with the JTTF?

Information such as event location(s), arrest data, synopsis of events were shared by between the PPB and FBI JTTF. This information sharing was consistent with Resolution 37424 (As Amended), PPB Policy and State Law.

Were PPB and JTTF representatives both present at any planning or operations meetings around the 2020 protests or other events in the last two years? This includes meetings called by the JTTF, PPB, and other agencies?

PPB personnel and representatives of the FBI JTTF were present at numerous meetings (virtual and in person) related to 2020 protests and other events. In the early days and weeks of protest activity, there were often multiple meetings a day. None of these meetings were called by the FBI JTTF and planning and operations activities for these events was not conducted in conjunction with the FBI JTTF.

PPB Oversight and Improving Processes in 2021

The Chief of Police or the Deputy Chief serves as the liaison to the FBI JTTF and may be granted the appropriate security clearance by the FBI to allow for full oversight of any investigation and case



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review referred to or from the FBI. The CIU sergeant maintains a security clearance for full oversight. PPB CIU officers that could be assigned to an FBI investigation are subject to all relevant federal, state, and local laws; all PPB directives (policies); and relevant federal regulations. Violation of any of these could prompt an investigation resulting in discipline up to and including termination. Legal violations could also result in a criminal investigation and prosecution.

The Chief of Police regularly communicates with the CIU supervisor to review any and all information related to information referred to or from the FBI JTTF to ensure continued compliance with the spirit and letter of the resolution.

The PPB will also review all feedback after the delivery of this report and work to incorporate constructive changes where applicable and appropriate to the next annual report.

Conclusion

Protecting the City of Portland and those who live, work, pray, play, and visit is the responsibility of the PPB; however, the PPB cannot do it alone and works with other local, state, and federal law enforcement agencies to investigate threats to life, including hate crimes, and suspected cases of terrorism.

Threats to life, hate crimes, and terrorism (both domestic and international) are a national and global challenge that require coordination and information sharing between law enforcement agencies.

Identifying those planning to commit a criminal act, and more specifically an act of terrorism, and employing interdiction strategies to prevent an attack, is a top priority.

The PPB, and our law enforcement and community partners, must continue to work to assess and investigate these threats to life, hate crimes, and acts of terrorism, and work to interdict and prevent violence from occurring in our communities.

Members of the community may be the first line of defense against targeted violence, hate crimes, and acts of terrorism. The national "If You See Something, Say Something"^x effort by DHS helps guide community members on what is suspicious activity and how to report it. This guidance is readily available in 11 languages and provides community members learning opportunities on how to recognize the signs of terrorism-related suspicious activity. Additionally, the DHS Cybersecurity & Infrastructure Security Agency's (CISA) Hometown Security^{xi} program provides access to tools and resources to support community security and resilience. Emergencies should always be immediately



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reported to 9-1-1, while non-emergency suspicious activity may be reported directly to the Portland Police Bureau.

ⁱ <https://www.portlandoregon.gov/police/article/732572>

ⁱⁱ <https://www.fbi.gov/contact-us/field-offices/portland/news/stories/portland-fbis-joint-terrorism-task-force-jttf-111318>

ⁱⁱⁱ <https://www.portland.gov/police>

^{iv} <https://www.portlandoregon.gov/police/article/785391>

^v <https://www.justice.gov/usao-or/pr/local-man-sentenced-firing-handgun-federal-courthouse>

^{vi} <https://www.justice.gov/usao-or/pr/beaverton-woman-charged-april-13-2021-arson-portland-police-association-building>

^{vii} <https://katu.com/news/local/man-faces-federal-charge-after-march-demonstration-in-downtown-portland>

^{viii} PPB Case #21-244015

^{ix} PPB Case #19-355203

^x <https://www.dhs.gov/see-something-say-something>

^{xi} <https://www.cisa.gov/hometown-security>