

The Handling of the 2020 Protests and Riots in Portland, Oregon: An Independent Review

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Scope of Work

- The effectiveness of PPB's crowd management training
- The City's response to the protests of 2020
- The effectiveness of the Incident Command System, including criteria for unlawful assemblies or riots, authorizing munitions, and communication
- Evaluating strategies used and not used
- Evaluating communication and leadership
- Other factors that impacted the City's response

Methodology

- Reviewed PPB directives, standard operating procedures, and training materials
- Honed in on 43 operational periods and analyzed operational plans, activity logs, force reports, arrest records, and after-action reports
- Examined materials associated with administrative investigations into complaints about PPB officers
- Analyzed extensive video of PPB officer conduct
- Interviewed dozens of officers, command staff, community members, other Portland employees, elected officials, and regional partners

Key Facts

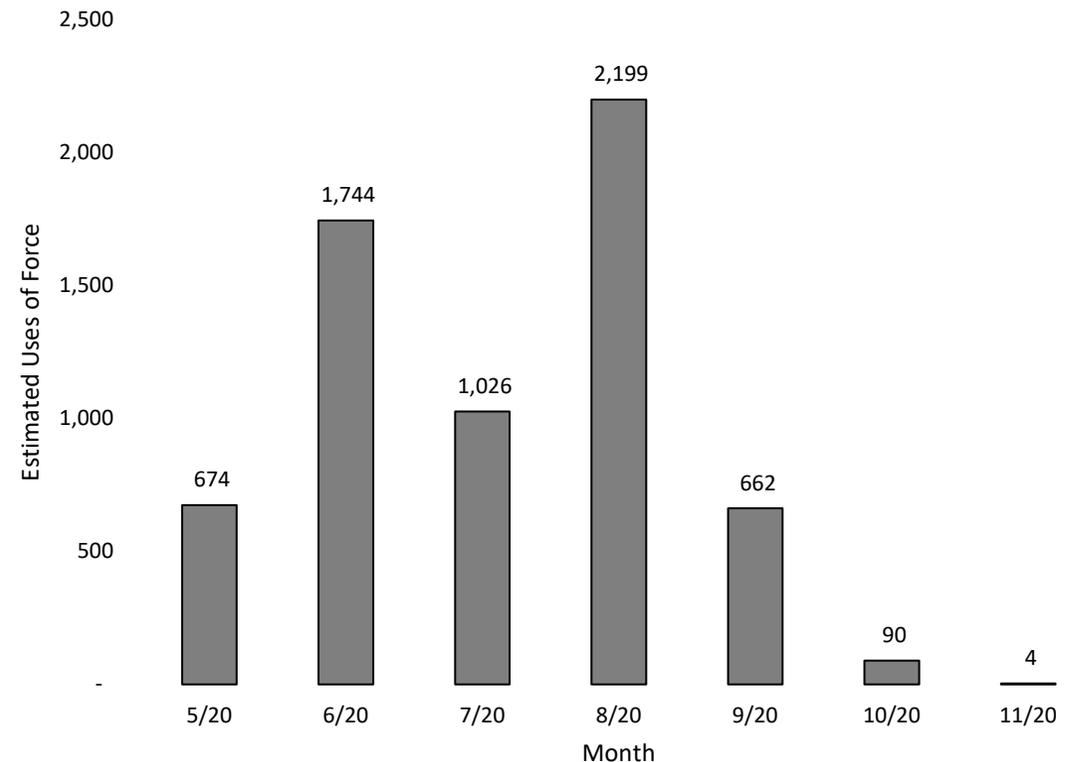
- Protests in Portland from May 29 through mid-November
- Large, generally peaceful crowds during the day, smaller crowds at night, with some engaging in violence or destructive behavior
- The federal government sent more than 700 federal officers to Portland, which escalated street conflict
- Police response largely Rapid Response Team ("RRT") though also Mobile Field Forces ("MFF")
- More than 1,000 arrests, mostly for public order crimes

Key Facts

- Protesters and officers experienced significant injuries
- More than \$15 million damage to public and private property
- The City's response caused it to fall out of compliance with the DOJ consent decree
- In June 2021, the members of the RRT resigned en masse after a member was criminally charged

Key Facts

- PPB documented more than 6,000 estimated uses of force
- Early uses of force led to restrictions imposed both by Mayor Wheeler and a federal judge
- Other restrictions limited cooperation within Portland municipal government and with federal agencies

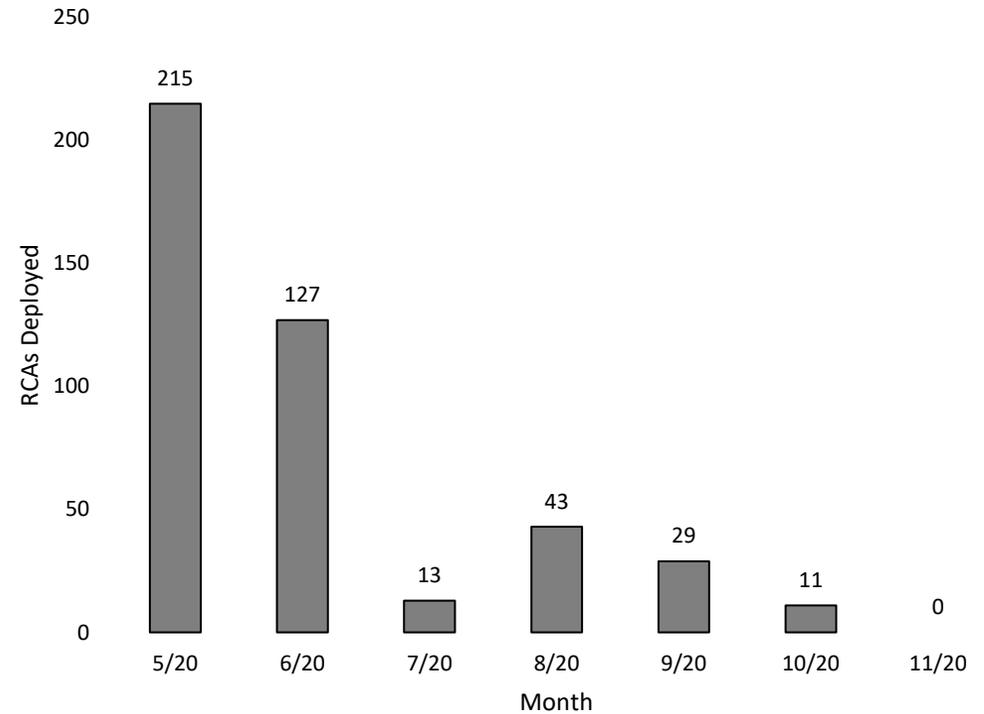


City Leadership and PPB Command

- The City was not transparent with the public about its strategies, tactics, and munitions for public order policing, which set the stage for a loss of public trust
- There was insufficient internal oversight of RRT by PPB executives
- PPB executives did not visit the field or debrief with officers often enough in 2020
- PPB leaders did not consistently prime officers with the rules of engagement before deployments
- PPB leaders did not enforce consistent rules of engagement with protest crowds
- The City did not do enough to preserve its network of mutual aid partners, despite warnings that the network was in danger of failing

The First Amendment and Use of Force

- PPB relied too often upon civil disturbance declarations and riot control agents (“RCAs”)
- PPB would have been better able to reduce its use of RCAs with crowd observation tools and methods that were not available in 2020
 - Portland’s downtown video blackout
 - Lack of plainclothes officers making crowd observations – need for stringent safeguards



PPB's Use of the Incident Command System

- The National Incident Management System (“ICS”) provides a unified approach for government organizations to collaborate in responding to domestic incidents
- PPB benefited from significant in-house ICS expertise in running its command post, and the incident management team was structured according to ICS guidance
- PPB did not prepare a sufficient number of command personnel to handle a long-lasting civil disturbance
- The incident management team was not consistently effective as a learning organization throughout the Review Period

The First Amendment and Use of Force

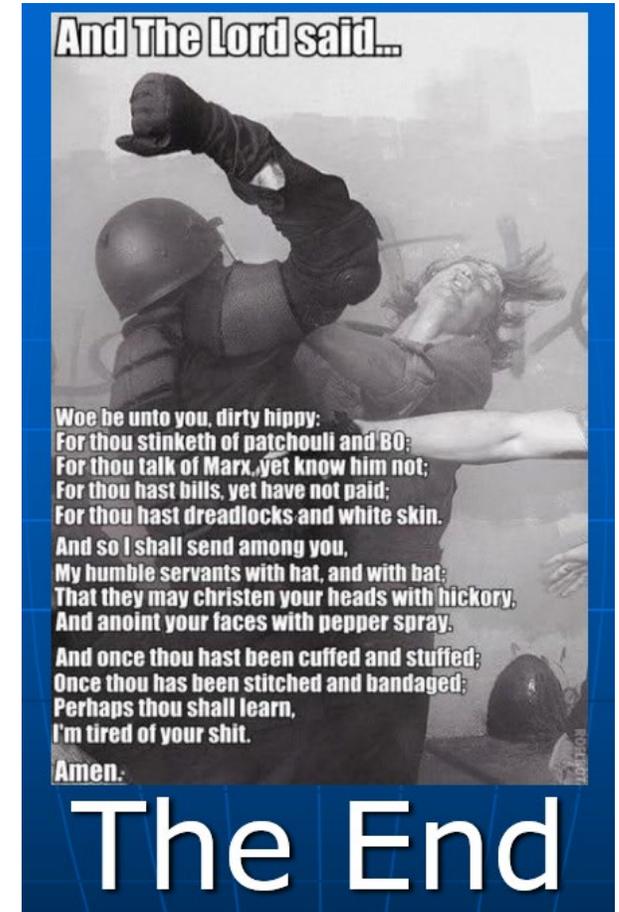
- PPB's dispersal order warnings were often insufficient and not properly documented
- PPB failed to implement key internal controls on the force used by officers
 - PPB's tracking of less-lethal munitions was insufficient
 - PPB's force reporting and review practices during the Review Period were inconsistent with its policies

The First Amendment and Use of Force

- Key policy guidance authorizing certain types of force was inappropriate or imprecise
 - PPB policy did not address dynamics, bull rushes, and baton pushes
 - PPB's threshold for use of area impact munitions, or rubber-ball grenades, was too low
 - PPB directives authorized officers to use FN303 and 40mm projectiles to “avoid the use of a higher level of force”
 - Officers were authorized to use OC spray when a person “indicate[d] the intent to engage in physical resistance”

The Effectiveness of PPB's Public Order Training

- The City did not provide sufficient oversight of PPB's public order training
- PPB provided insufficient guidance in RRT training about when force was authorized and prohibited
- PPB did not adequately train Mobile Field Forces officers
- PPB did not sufficiently address de-escalation and procedural justice in its training



Recommendations

1. The City must rebuild its mutual aid network
2. PPB must dramatically reduce its reliance on crowd dispersals with RCAs, like CS gas, at public order events
3. PPB must strengthen and clarify its public order and use of force directives
4. The City must ensure that PPB directives related to internal controls during public order events are followed
5. The City must create a new specialized public order team consistent with emerging standards for advanced public order units

Recommendations

6. The new public order team must be rigorously scrutinized by PPB executives, overseen by Portland's new oversight agency, and transparently introduced to the public
7. The City must continue to improve its public order training program consistent with recent National Tactical Officers Association standards
8. PPB policy should require chiefs to be engaged with and visible to officers in the field during public order deployments, when possible

Recommendations

9. PPB should prepare a deep bench of leaders to serve as incident commanders and operations section chiefs
10. PPB should develop a pre-operational briefing checklist and hold supervisors accountable for providing comprehensive briefings to officers before public order deployments
11. PPB should formalize the debriefing process for public order deployments
12. The City should produce a detailed self-assessment in 180 days reflecting the steps it took to implement these recommendations