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191737

Emergency Ordinance

***Authorize purchase of public order shields and replenishment of crowd control munitions for use by the Portland Police Bureau Rapid Response Team**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Police Bureau's (PPB) Rapid Response Team (RRT) was established in 2001 to respond to varied types of incidents that required an advanced, specialized law enforcement response. These incidents include mass casualty incidents, post-disaster responses, wide-area searches, evacuations, responses to chemical or hazardous materials incidents, and public order events. Membership on RRT is voluntary. Members of this team perform these duties in addition to their normal community policing responsibilities.
2. RRT members are trained in advanced skills, including supporting safety at public demonstrations, crowd management including crowd psychology and behavior, team formations and movements, the use of enhanced personal protective equipment, use of force, de-escalation, and arrests. At the point of RRT's dissolution on June 16, 2021, there were approximately 70 members of RRT.
3. Following the events of 2020, as part of the amended Settlement Agreement with the United States Department of Justice, the City of Portland agreed to retain Independent Monitor LLC (IMLLC) to critically assess the City's response to crowd control events in 2020.
4. In its report, which was accepted by Council on August 23rd, 2023 and is attached as Exhibit A, IMLLC made several recommendations, including that "[t]he City must create a new specialized public order team consistent with emerging standards for advanced public order units." IMLLC also noted that public order teams require specialized equipment and referenced the National Tactical Officers Association's (NTOA) Public Order Response and Operations Standards as an example of an emerging best practice.
5. The NTOA standards outline training and equipment recommendations for public order units, including the use of public order shields.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Police](#)

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

May 29, 2024

Time Requested

20 minutes


6. In alignment with these recommendations, PPB has been working to develop training consistent with NTOA standards and re-establish this team after a three-year hiatus. Of note, on March 20, 2024, the Council approved a letter of agreement to incentivize membership in the RRT, which has proven successful in PPB's recruitment efforts.
7. PPB has not refreshed its crowd control munition inventories during the RRT hiatus and now needs to replace items scheduled to expire, as well as support equipment and training needs of the future RRT.
8. Both public order shields and crowd control munitions are listed as "controlled items" under Federal Executive Order 13688 which was adopted by the City Council under resolution 37520. The purchase of these items requires prior authorization by the City Council.
9. On October 11th, 2023, the City Council passed Ordinance 191480 authorizing the Police Bureau to purchase 12 public order shields of various designs to conduct research and development evaluations.
10. PPB has now identified specific public order shields and crowd control munitions that meet its safety needs and that conform to the IMLLC recommendations and NTOA Public Order Response and Operations Standards, attached as Exhibit B.
11. In addition to the IMLLC recommendations, recent world events and an increased demand nationally for related equipment by other law enforcement agencies preparing for the upcoming election cycle, it is exigent that PPB obtain this equipment as quickly as possible so that the Rapid Response Team can be ready to provide support to normal patrol operations if the need for specialized public order expertise arises.

NOW, THEREFORE, the Council directs:

- A. PPB is authorized to purchase public order shields and crowd control munitions falling under the reporting and purchasing guidelines prescribed in Resolution 37520.
- B. The Chief Procurement Officer is authorized to procure the necessary items for PPB's RRT use, and to execute one or more contracts or purchase orders in accordance with City Procurement Code, provided any new contracts are approved as to form by the City Attorney's Office.
- C. The Mayor and Auditor are hereby authorized to pay for the purchase of the RRT-related munitions and equipment from the PPB-designated funding sources, such as the Bureau's general fund appropriations.

Section 2. The Council declares that an emergency exists to ensure the RRT is appropriately equipped to meet the specialized needs of the community, particularly in relation to supporting safety during public order events, which have become more frequent in recent weeks; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a.pdf) 728.04 KB

 [Exhibit B \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-b_0.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-b_0.pdf) 886.11 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
May 29, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

Portland Police Bureau (PPB) recognized the urgent need for a strategic and organized response to large-scale public order occurrences after the tragic events of September 11, 2001. The Rapid Response Team was established in 2001 in response to this need.

The Rapid Response Team (RRT) has responded to events and emergencies that include large sporting events, presidential visits, environmental disasters, wildfire assistance, wide area crime scenes involving large crowds, and other public order emergencies and demonstrations necessitating police involvement. Maintaining a well-equipped and prepared RRT is essential for the city's overall emergency preparedness and response capabilities.

PPB is continually examining and researching tools and equipment to help its membership achieve its goals of respecting the expression of free speech and assembly while also maintaining public safety, peace, and order.

In its The Handling of the 2020 Protests and Riots in Portland Oregon: An Independent Review report, Independent Monitor LLC recommended that "The City must create a new specialized public order team consistent with emerging standards for advanced public order units". Independent Monitor LLC referenced the National Tactical Officers Association's Public Order Response and Operations Standards as an example of an emerging best practice. The NTOA standards outline training and equipment recommendations for public order units.

Public order shields have long been a foundational component of public order practices in Europe and the NTOA now recognizes them as a best practice for public order operations within the United States. Shields serve a critical role in the domain of crowd management and public order policing, safeguarding police officers and the public by providing controlled management of large assemblies and minimizing potential harm by avoiding use of different tactical equipment.

RRT also uses other specialized tools, including crowd control munitions, which require ongoing training and recurring qualifications. This training is essential for ensuring safety, legal compliance, accountability, effective and proper deployment, and maintaining public trust in their appropriate use of these items. Re-supplying these tools and equipment helps facilitate the ongoing training requirements.

Financial and Budgetary Impacts

This purchase of public order shields and munitions for the Portland Police Public Order Team (RRT) will allow for safe and effective training and deployment of the team. The City is allocating approximately \$1.1M in ongoing funding for training and replacing equipment and munitions as needed. If the price of the munitions and equipment dramatically outpaces inflation, the bureau may need to consider internal tradeoffs to maintain adequate levels of supplies to stay in compliance with the Settlement Agreement. There are no changes to existing contracts, staffing levels, or financial agreements because of this purchase.

Community Impacts and Community Involvement

First Amendment events are the cornerstone of a healthy democracy and give community members voice. The Portland Police Bureau must be prepared to effectively manage these events, respect the Constitutional rights of those who are present, and also address individual acts of violence and property destruction.

The reconstitution of a well-trained and well-equipped public order team will help the Police Bureau and the City of Portland rebuild public trust following the criticism of the Bureau's responses to the events of 2020.

The procurement of protective public order shields, and sufficient crowd control munitions to provide adequate training to Bureau members who may use them during public order events, are just one part of the Bureau's overall efforts to reconstitute a public order team in line with the recommendations made by Independent Monitor LLC.

100% Renewable Goal

Not applicable.

Budget Office Financial Impact Analysis

The Police bureau is requesting additional funds in the over-expenditure ordinance which would be used to cover current year costs for Rapid Response Team equipment. If Council does not approve those funds, the bureau will likely over-expend their budget, and any additional expenses incurred before July 1 increase this risk. CBO notes that the Police bureau is facing a high risk of spending above their legally appropriated expenditures in the current year.

Document History

Item 445 Regular Agenda in [May 29-30, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/5/29)
(<https://www.portland.gov/council/agenda/2024/5/29>)

City Council

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea