



CITY OF PORTLAND, OREGON



Bureau of Police

Ted Wheeler, Mayor
Charles Lovell, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000

Integrity • Compassion • Accountability • Respect • Excellence • Service

Executive Summary DIR 0630.05 Vehicle Interventions and Pursuits

Introduction

The Policy Development Team (PDT) began the review process for Directive 0630.05, Vehicle Interventions and Pursuits, in the summer of 2022. The initial reason for the review was to bring the sections of the policy dealing with force in line with Directive 1010.00, Use of Force, which the Bureau last revised and enacted in November 2022. During the review process, the PDT worked extensively with various stakeholders including the Training Division's Police Vehicle Operation program, the Chief's Office, and the Police Commissioner. These meetings, as well as public comment, revealed the need to make more extensive changes to the Directive.

As adopted, the updated version of Directive 0630.05 brings the standard for vehicle interventions in line with Directive 1010.00, clarifies standards around exceptional circumstance pursuits, and creates a standard for the use of pursuits as part of preplanned missions or operations.

Public Comments

This directive received broad interest during both public comment periods. During the first universal review period the Bureau received five comments, and eighteen during the second. Comments were generally split between those expressing concern around the potential dangers of vehicle pursuits, and others worried that a restrictive pursuit policy would prevent officers from apprehending suspects.

Several commenters identified pursuit criteria as still being too limited, expressing concern that officers inability to chase was leading to an increase in eludes, and a general increase in crime. These commenters suggested moving back to an older standard of pursuit authorization that looked only at totality of the circumstances. The potential danger involved in vehicle pursuits makes any balancing decision difficult. While it may be possible to pursue some lower-level offenders safely and successfully, the Bureau still feels it is necessary to set some strict boundaries. As such the comment was not adopted. The Bureau instead created the option to use pursuits as part of preplanned missions where risks and benefits can be more carefully managed.

Several commenters felt conversely that the idea of using pursuits as part of a preplanned pursuit was dangerous and moving the Bureau in the wrong direction. They also expressed confusion, questioning why if planning was in place, pursuits would be necessary. The Bureau recognizes



CITY OF PORTLAND, OREGON



Bureau of Police

Ted Wheeler, Mayor
Charles Lovell, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000

Integrity • Compassion • Accountability • Respect • Excellence • Service

that this is a change in practice, but the purpose of this new policy is in line with existing policy's core value that for any pursuit, the benefits of apprehension must outweigh the risk of the pursuit. The concept embedded in the new preplanned component is both the goal to

avoid pursuits where possible, and to reduce the risk of any given pursuits by having the resources in place to quickly resolve it. As such, the Bureau attempted to clarify the policy language but did not adopt the comment.

One commenter expressed concern about the removal of specific speed restrictions for box-ins and other vehicle interventions. This commenter acknowledged the value in a "totality of the circumstances" evaluation, but they felt that the speed restrictions were important guardrails to ensure officers made safe decisions. While the Bureau understands the concern around the use of vehicle interventions at high speed, it believes that the shift to a totality of the circumstances model is the best approach. Furthermore, because incidents that may warrant the use of a vehicle intervention situational, there is no "one size fits all" model for establishing a specific speed range to employ particular tactics. Numerous factors go into whether any given vehicle intervention is appropriate and safe, with speed only being a single element. The legal standard for the use of vehicle interventions is the Graham Standard which inquires whether a given tactic was "objectively reasonable under the totality of the circumstances." The Bureau is trying to ensure its policies, even where more restrictive than the law, still operate under the same type of inquiry.

A commenter expressed concern that the use of spike strips was not considered force, as they immediately deflate tires and suddenly stop vehicles. The product used by the Bureau, Stop Sticks, are expressly designed to release air from a tire over a period of a minute or more, precisely to prevent immediate failures or stoppages.

One commenter highlighted a concern about the box-in definition. This commenter wanted to clarify that fixed objects could be used as a point of contact for a box-in. This comment was adopted in part. The Bureau recognizes that in certain circumstances a static object may be used in a box-in, as such, this has been included in the procedure for static box-ins. However, while using a fixed or static object may be appropriate when the target vehicle is in motion, this is more appropriately defined as a ram, given the highly variable and dynamic nature of such a maneuver.

Another commenter inquired why it was necessary to make physical contact between vehicles to perform a box-in and suggested a change to merely stopping close to the suspect vehicle. Box-ins work because the two points of physical contact overwhelm the traction of the suspect vehicle,



CITY OF PORTLAND, OREGON



Bureau of Police

Ted Wheeler, Mayor
Charles Lovell, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000

Integrity • Compassion • Accountability • Respect • Excellence • Service

thereby making it impossible for it to gain momentum and move. Physics and experience show that when a vehicle is able to gain any momentum it can force its way out of box-ins. For this reason the comment was not adopted.

The Bureau's Revised Policy

During this review the Bureau was faced with a serious challenge of how to address competing concerns. Officers and community members have expressed frustration at prolific vehicle theft, street racing, and property crimes where suspects frequently elude police and officers are unable to pursue them under the current policy. In contrast the Bureau also recognizes that vehicle pursuits and interventions can present danger to the public, suspects and officers.

The solution the Bureau developed was to offer a limited expansion of pursuit authorization when it was possible, as part of a planned mission or operation, to manage the associated risks of

pursuits. The policy expectation is that Bureau managers will clearly identify the resources and planning in place that mitigate risks, as well as the specific benefits anticipated as part of the mission. The approval for these missions will happen at a high level within the organization, a Responsibility Unit (RU) manager. Most typically, this would be one of the three precinct commanders.

The other major change to the policy was to approach all vehicle interventions under a “totality of the circumstances” framework. This is in keeping with the current version of the Bureau’s Use of Force policy Directive 1010.00, and recognizes that evaluating any use of force, including vehicle interventions, is highly fact specific. Bright line rules are generally inapplicable in this context and can either be too restrictive, or encourage officers to focus on certain factors, such as speed, to the exclusion of other relevant considerations.

The Bureau also made other changes to the policy, these changes were mostly intended to clarify the policy, and set clear standards rather than to make substantive changes.

An example of this was the addition of a definition for Trailing. Trailing is an existing practice that falls outside of the definition of Pursuit, in which an officer is allowed to follow a fleeing suspect, as long as they drive within the flow of traffic and do not activate emergency equipment. This allows officers to increase the chance of apprehending fleeing suspects, without pushing them to drive dangerously. Codifying this definition helps clarify the limits of different tactics.

The Bureau hopes that the revised directive contributes to the Bureau’s core mission of reducing crime, and the fear of crime, and offers members and the public clearer guidance.



CITY OF PORTLAND, OREGON



Bureau of Police

Ted Wheeler, Mayor

Charles Lovell, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000

Integrity • Compassion • Accountability • Respect • Excellence • Service

The Bureau welcomes further feedback on this policy during its next review.

The directive goes into effect on January 14, 2024. Published on December 15, 2023.

Directive 0630.05 Vehicle Interventions and Pursuits

Refer:

- ORS § 164.135, Unauthorized Use of a Vehicle
- Portland Metropolitan Interagency Pursuit Agreement (2012)
- BOEC Memorandum of Understanding (MOU)
- DIR 0220.40, Lawsuits and Claims
- DIR 0310.20, Retaliation Prohibited
- DIR 0600.00, Aircraft Use
- DIR 0630.10, Driving Response
- DIR 0905.00, Non-Force After Action Reports
- DIR 1010.00, Use of Force
- DIR 1010.10, Deadly Force and In-Custody Death Reporting and Investigation Procedures
- DIR 1500.00, Training
- ICS Forms

Definitions:

- **Boxing In:** A coordinated tactic of making contact between police vehicles and a suspect's vehicle to stop or prevent the start of a pursuit.
 - **Dynamic Box-In:** A box-in performed on a vehicle that is in motion.
 - **Static Box-In:** A box-in performed on a vehicle that is not in motion, and that is not reasonably likely to cause physical injury or significant damage.
- **Force:** Physical coercion used to effect, influence, or persuade an individual to comply with an officer, to include the intentional pointing of a firearm at an individual. Control holds and handcuffing without resistance do not constitute force.
- **Marked Unit:** An emergency police vehicle equipped with overhead lights.
- **Primary Unit:** the sworn member initiating a pursuit and primarily responsible for following the suspect vehicle.
- **Cover Unit:** a sworn member who is involved in the pursuit and may assume responsibility for communication or planning vehicle interventions, when feasible.
- **Pursuit:** An active, deliberate attempt by one or more members to apprehend or keep pace with a suspect in a vehicle, when the suspect is making an active effort to resist apprehension. This does not include the use of Air Support, trailing, or reasonable efforts by members to get into position ahead of the suspect to deploy spike strips or other vehicle interventions where it is possible to do so with due regard for the safety of the public.
- **Pursuit Intervention Technique (PIT):** A driving technique designed to stop a fleeing motorist safely and quickly by making contact with the fleeing car at a specific point on the vehicle, which throws the car into a spin and brings it to a stop.
- **Ramming:** The use of an emergency (police) vehicle, other than in a pursuit intervention technique or boxing in maneuver, to purposely cause contact with another vehicle in order to disable the vehicle.

- Stop/Spike Strips: Devices used to deflate tires in a controlled fashion.
- Trailing: A member driving within Code 1, as defined in DIR 0630.10, without emergency equipment activated, while broadcasting updates or observing a suspect vehicle actively resisting apprehension. Trailing is not considered a pursuit.
- Vehicle: For the purposes of this Directive, a vehicle is a motorized vehicle.
- Vehicle Intervention Strategies: Tactics which may be used to stop or reduce the speed of a fleeing vehicle in an attempt to reduce safety risks posed to the community, the suspect, and members (e.g., boxing in, pursuit intervention technique, ramming, spike-strips).

Policy:

1. Apprehending suspects is key to the Bureau's mission of reducing crime and the fear of crime, however the Bureau recognizes that vehicle pursuits are dynamic and rapidly evolving in nature and, as a result, have inherent safety risks. Therefore, members are expected to only engage in pursuits when the benefits to the public clearly outweigh these inherent risks.
2. The Bureau shall train all sworn members in pursuit management and intervention techniques. Members shall adhere to this training in both determining whether to engage in a vehicle pursuit and in its management.

Procedure:

1. General Requirements for Pursuits and Trailing.
 - 1.1. Authorization.
 - 1.1.1. Only sworn members shall engage in vehicle pursuits. Members may only employ pursuit intervention strategies that are Bureau approved and that they have been trained to use.
 - 1.1.2. Members shall only initiate a pursuit of a suspect fleeing in a vehicle:
 - 1.1.2.1. When there is reasonable suspicion to believe the suspect committed a felony person crime; or
 - 1.1.2.2. Where the suspect's driving behavior, prior to police presence or an attempt to initiate a stop, places the public in immediate danger of serious physical injury or death.
 - 1.1.3. Supervisors may authorize a pursuit in an extraordinary circumstance not listed above, when it is clear that the benefits of immediately apprehending the suspect outweigh the risks of the pursuit.
 - 1.1.3.1. Supervisors should consider the totality of the circumstances when evaluating whether extraordinary circumstances exist, including:
 - 1.1.3.1.1. The threat posed by the suspect to the public.
 - 1.1.3.1.2. The severity of the crime or crimes committed by the suspect.
 - 1.1.3.1.3. The risk involved in the pursuit.
 - 1.1.3.1.4. Whether the pursuit is likely to reduce the threat posed by the suspect.
 - 1.1.3.1.5. The availability of additional units to employ interventions.
 - 1.1.3.1.6. If the suspect can be located or apprehended more safely at another time.
 - 1.2. Prohibitions.

- 1.2.1. Members shall not engage in pursuits or use vehicle intervention techniques under the following circumstances:
 - 1.2.1.1. When, in the totality of the circumstances, the risk to the public, suspects, and members outweighs the benefit of apprehending the suspect; or
 - 1.2.1.2. When the member has an objectively reasonable belief, that the suspect can be located or apprehended more safely at a future time.

1.3. Disengagement.

- 1.3.1. Members shall disengage from a pursuit under the following circumstances:
 - 1.3.1.1. If the member is driving any vehicle other than a four-wheeled pursuit-rated marked unit when a pursuit is initiated, that member shall disengage primary pursuit when a four-wheeled pursuit-rated marked unit is in position to assume the pursuit. The disengaging unit may follow at a safe distance until the conclusion of the pursuit.
 - 1.3.1.2. The pursuit has entered another jurisdiction, another agency has taken over the primary role in the pursuit, and the other agency has adequate cover present.
 - 1.3.1.3. If a collision occurs as a result of the pursuit that is reasonably likely to require immediate medical assistance and more than one police vehicle is in pursuit, at least one pursuing member shall disengage from the pursuit and render appropriate aid while the other members continue pursuit.
 - 1.3.1.3.1. If only one police vehicle is in pursuit and a collision occurs under these circumstances, but the benefit of capture outweighs disengagement, the pursuing member must call for immediate backup to render appropriate aid; the involved member may continue the pursuit.
 - 1.3.1.4. When the Air Support Unit (ASU) is available, it shall assume primary responsibility for coordinating the pursuit and tracking the suspect vehicle. Once ASU is on scene and coordinating the pursuit, other units shall reduce speed and increase following distance, unless attempting a coordinated vehicle intervention strategy.
 - 1.3.1.4.1. The Supervisor managing the pursuit shall maintain responsibility for overall pursuit management, including the authority to direct involved units to disengage and allow ASU to follow the vehicle.

1.4. Trailing.

- 1.4.1. When a pursuit is not authorized, members may trail the suspect in a code 1 response, without their emergency equipment activated, in order to broadcast updates about the suspect's location to ASU, or when feasible to direct other units into position to attempt a vehicle intervention.
 - 1.4.1.1. Supervisors may terminate trailing at any time.

2. Preplanned Pursuit Authorization:

- 2.1. Preplanned missions may offer the opportunity to mitigate the risk of vehicle pursuits by giving members the opportunity to prepare in advance, and by ensuring that appropriate resources are in place to resolve pursuits quickly.
 - 2.1.1. All pursuits must be individually justified based on the totality of the circumstances.
- 2.2. Responsibility Unit (RU) Manager Responsibilities: An RU manager may authorize pursuits for crimes or driving behavior, not otherwise authorized by Section 1.2 or 1.3 of

this directive, as part of a preplanned response or mission. The mission must have a written Incident Action Plan (IAP) that includes at least the following:

- 2.2.1 A 24-hour period during which the IAP will be in effect.
 - 2.2.2 Why pursuit authorization is necessary for the mission.
 - 2.2.3 What Vehicle Intervention Strategies are in place that increase the likelihood that a pursuit can be resolved quickly and safely.
 - 2.2.4 The resources available to the mission (e.g., K9, ASU, plain clothes or under cover units), that will make it possible to resolve pursuits more quickly.
 - 2.2.5 The specific circumstances during the mission or response that will justify the use of vehicle pursuits.
 - 2.2.6 A designated Bureau supervisor who will authorize and manage pursuits.
- 2.3. Supervisor Responsibilities During Preplanned Missions.
- 2.3.1 Supervisors shall brief all members participating in the mission, on the specific circumstances justifying a vehicle pursuit under the IAP, and any strategies and resources in place to safely resolve pursuits.
 - 2.3.2 Authorize and manage pursuits consistent with the requirements of this directive.
- 2.4. Member Responsibilities During Preplanned Missions.
- 2.4.1 Only members assigned to a mission or preplanned response may initiate a pursuit authorized under this section, unless the mission supervisor authorizes a non-assigned member to initiate the pursuit.
 - 2.4.2 Members not involved in the preplanned mission or response may participate in a pursuit authorized under this section as needed.
 - 2.4.3 Members are still responsible for all other parts of this directive.
3. Vehicle Intervention Strategies and Standards.
- 3.1. Certain vehicle Interventions, as noted below, are force. As such Directive 1010.00, Use of Force, applies to those interventions, and any application of force must be objectively reasonable under the totality of the circumstances.
 - 3.2. Members shall use lights and sirens, prior to using a Vehicle Intervention Strategy, unless preemptive use is justified.
 - 3.3. Preemptive Use of Vehicle Interventions.
 - 3.3.1. Members may use a Vehicle Intervention Strategy prior to a subject eluding or the initiation of a pursuit when it is objectively reasonable under the totality of the circumstances.
 - 3.3.1.1. A member's belief must be based on specific articulable facts about the suspect and their behavior including but not limited to; deactivating lights, changed driving behavior after observing police, or prior flights by the suspect.
 - 3.3.1.2. Members may preemptively use a Vehicle Intervention Strategy without activating lights and sirens as a warning.
 - 3.4. Authorized Vehicles.
 - 3.4.1. Members may only use vehicles authorized by the Training Division to perform specific vehicle interventions.

3.5. *Boxing-In.*

- 3.5.1. *Static Box-Ins*: Members may employ this tactic when the member reasonably believes that in the totality of the circumstances the benefits of the maneuver outweigh the risks. To be considered a static box-in, the subject vehicle **MUST NOT** be in motion, and the maneuver is not reasonably likely to cause injury or damage.
 - 3.5.1.1. A static box in may be performed using a fixed object when it is not feasible to use a second police vehicle.
 - 3.5.1.2. A static Box-in that results in an injury or where the maneuver is reasonably likely to cause injury is reportable force.
 - 3.5.1.2.1. Members must document static box-ins in an appropriate police report.
- 3.5.2. *Dynamic Box-Ins*: Members may employ this maneuver when it is reasonable under the totality of the circumstances, taking into account the suspect's behavior, speeds, vehicle and road conditions, and the underlying offense.
 - 3.5.2.1. A dynamic box-in must be performed using two or more police vehicles.
 - 3.5.2.2. As described in Directive 1010.00, Use of Force, Dynamic Box-Ins are considered force and will be reviewed consistent with Directive 0910.00 Use of Force Reporting, Review, and Investigation.
- 3.6. *Pursuit Intervention Technique*.
 - 3.6.1. Members shall not use this tactic on two-wheeled vehicles, passenger-occupied buses, or vehicles transporting hazardous materials. Members may employ this maneuver when it is reasonable under the totality of the circumstances, including the suspects behavior, speeds, vehicle and road conditions, and the underlying offense.
 - 3.6.2. Pursuit Intervention Techniques are considered force and will be reviewed consistent with Directive 0910.00 Use of Force Reporting, Review, and Investigation.
- 3.7. *Ramming*.
 - 3.7.1. Ramming carries a higher risk of injury or property damage than other interventions. Members may use a vehicle ram when it is reasonable under the totality of the circumstances, taking into account the suspect's behavior, speeds, vehicle and road conditions, and the underlying offense. Members must also consider the specific ramming technique used, and whether it is reasonably likely to cause injury.
 - 3.7.2. Ramming is considered force and will be reviewed consistent with Directive 0910.00 Use of Force Reporting, Review, and Investigation.
- 3.8. *Stop/Spike Strips*.
 - 3.8.1. Member use of this tactic does not constitute force.
 - 3.8.2. Members may employ the device, when reasonable under the totality of the circumstances.
 - 3.8.3. Members may not employ Stop Sticks/Spike Strips on two or three wheeled vehicles.
- 4. Pursuits Involving Other Jurisdictions.
 - 4.1. For pursuits coming into the Bureau's jurisdiction from another jurisdiction, the managing supervisor will determine whether members will become involved in the pursuit. If the supervisor determines that the Bureau will assist in the pursuit, members may only engage in the pursuit consistent with this policy, regardless of the policies of

the originating jurisdiction.

- 4.2. For pursuits beginning in Bureau jurisdiction, but leaving from this jurisdiction, it is the responsibility of a managing supervisor or a designated member 1) inform the receiving jurisdiction of the conditions giving rise to the pursuit and the actions taken during the pursuit; and 2) request assistance from the receiving jurisdiction. If the receiving jurisdiction agrees to assume primary control of the pursuit, once that transfer occurs, the Bureau will only continue the pursuit in a supporting role. If the receiving agency elects to terminate the pursuit while in that jurisdiction, PPB members will also terminate the pursuit.³⁾
 - 4.2.1. Members will terminate a pursuit that travels into the State of Washington, unless the underlying offense is a violent person-to-person felony.
- 4.3. Supervisors shall ensure notification and direct control of pursuits that either extend into, or are received from other jurisdictions, including the State of Washington.
5. Pursuit Termination.
 - 5.1. Members must terminate a pursuit when the safety risks posed to the community clearly outweigh the benefit of capturing the suspect. Termination may be called by any sworn member, whether involved in the pursuit or not. Members will terminate a pursuit when ordered to do so by any supervisor.
 - 5.2. Once a pursuit is terminated, involved members shall verbally acknowledge the termination over the radio, disengage and stop following the suspect vehicle. If involved in the pursuit, the Air Support Unit may continue to monitor the fleeing vehicle, but reengagement by ground units is limited by Section 6 of this Directive.
 - 5.2.1. Members may, with supervisor approval, trail a suspect vehicle following a termination.
 - 5.3. Per Directive 0310.20, Discrimination, Harassment, and Retaliation Prohibited, members shall not retaliate against involved members regarding the decision to terminate a pursuit.
 - 5.4. Members shall refer concerned property owner(s) whose property may have been damaged during a pursuit to the City of Portland's Risk Management Office, in accordance with Directive 0220.40, Lawsuits and Claims.
6. Pursuit Reengagement.
 - 6.1. After termination, a member may reengage a pursuit of the suspect vehicle only, with the permission of a supervisor, and if the member is able to articulate why circumstances have changed, and why the benefits of apprehension now outweigh the risks of the pursuit.
7. Reporting.
 - 7.1. Members who engaged in the pursuit and/or employed or attempted any vehicle intervention techniques shall complete an appropriate police report detailing the pursuit in accordance with directives.
 - 7.2. Members shall document the use of stop/spike strips in an appropriate police report.
 - 7.3. Supervisors will complete after-action reviews and investigations in accordance with

Directive 0910.00, Use of Force Reporting, Review, and Investigation, or Directive 0905.00, Non-Force After Action Reports.

- 7.3.1. The intervention strategies detailed above, when used on a subject's vehicle, are not accidents, and thus do not require accident-related investigation and reporting.
- 7.4. The Chief's Office will complete an annual report that covers trends in pursuits and identifies training, policy, and personnel issues, when applicable.
8. General Responsibilities for Members.
 - 8.1. Members must continuously weigh the totality of the circumstances to determine whether the benefits of apprehension outweigh the risk of the pursuit.
 - 8.2. Only a maximum of three units shall engage in a pursuit with lights and sirens continuously activated.
 - 8.2.1. A supervisor may authorize exceptions to the three-unit maximum under very limited circumstances and only when an unusually dangerous situation dictates (e.g., multiple dangerous suspects, shots fired, armed robbery, etc.). Supervisory approval for additional pursuit vehicles must be authorized by voice over the air.
 - 8.2.2. The decision to attempt to use a vehicle intervention technique maneuver will not, alone, be a justification for a fourth unit.
 - 8.3. The primary unit shall, as soon as feasible, broadcast the initiation of the pursuit, its location, and the reasons for it. The primary will then broadcast regular updates with pertinent information (e.g., location, speeds, road conditions, suspect behavior).
 - 8.3.1. When a cover unit joins the pursuit, this member may assume responsibility for communications, when feasible. Any additional cover units involved in the pursuit will support the primary unit and look for opportunities to safely employ vehicle interventions to end the pursuit.
 - 8.4. Other members/units in the general vicinity of the pursuit who are not directly involved may proceed with caution to a position that would assist in perimeter support or to deploy stop/spike sticks.
 - 8.5. Members shall not initiate a pursuit or use vehicle intervention strategies (other than spike strips), when transporting suspects, witnesses, complainants, or ride-along participants, or other members of the public (i.e., non-Bureau members) unless there is an imminent threat to life to the public or the member.
 - 8.5.1. This does not apply to sworn officers from other agencies, or city employees acting within the scope of their employment.
 - 8.6. Members carrying cadets, PS3s, chaplains, or other non-sworn Bureau members will disengage from a pursuit, as soon as feasible.
9. General Responsibilities for Supervisors.
 - 9.1. In managing a pursuit, supervisors shall:
 - 9.1.1. Announce their role over the radio;
 - 9.1.2. Determine if the pursuit is authorized and announce that decision on the radio;
 - 9.1.3. Respond to the area of the pursuit;
 - 9.1.4. Continually balance the safety risks posed to the community against the benefit of

- capture in managing the pursuit;
- 9.1.5. Authorize and direct additional units to engage in a pursuit, as needed;
- 9.1.6. Ensure radio communication between all applicable parties;
- 9.1.7. Devise, approve, and direct appropriate pursuit intervention strategies to end a pursuit as quickly as possible, so as to avoid or mitigate safety risks;
- 9.1.8. Manage notification and direct control of pursuits that either extend into or are received from other jurisdictions;
- 9.1.9. Order the pursuit be terminated when necessary (e.g., members are not adequately broadcasting updates, intervention strategies are not being implemented, there are not enough resources available to employ intervention the safety risks posed to the community clearly outweigh the benefit of capture);
 - 9.1.9.1. If ordering termination of a pursuit, verify with the involved member(s) their location at the time of the pursuit termination and document that location in the After-Action Report.
- 9.1.10. Ensure reports are completed in accordance with directives;
 - Conduct a debriefing with all involved members. The debrief should include an overview of the pursuit and, when applicable, a discussion of any vehicle intervention strategies employed. Confirm that the debrief occurred in the After-Action Report.

Established: 09/06/01

Signed: 12/15/2024

Effective: 01/14/2024

Next Review Date: 01/14/2024

Directive 0630.05 Vehicle Interventions and Pursuits

Refer:

- ORS § 164.135, Unauthorized Use of a Vehicle
- Portland Metropolitan Interagency Pursuit Agreement (2012)
- BOEC Memorandum of Understanding (MOU)
- DIR ~~2200220~~.40, Lawsuits and Claims
- DIR ~~3100310~~.20, Retaliation Prohibited
- DIR ~~6000600~~.00, Aircraft Use
- DIR ~~6300630~~.10, Driving Response
- DIR ~~9050905~~.00, Non-Force After Action Reports
- DIR 1010.00, Use of Force
- DIR 1010.10, Deadly Force and In-Custody Death Reporting and Investigation Procedures
- DIR 1500.00, Training
- ICS Forms

Definitions:

- Boxing In: A coordinated tactic of making contact between police vehicles and a suspect's vehicle to stop or prevent the start of a pursuit.
 - Dynamic Box-In: A box-in performed on a vehicle that is in motion.
 - Static Box-In: A box-in performed on a vehicle that is not in motion, and that is not reasonably likely to cause physical injury or significant damage.
- Force: Physical coercion used to effect, influence, or persuade an individual to comply with an officer, to include the intentional pointing of a firearm at an individual. Control holds and handcuffing without resistance do not constitute force.
- Marked Unit: An emergency police vehicle equipped with overhead lights.
- Primary Unit: the sworn member initiating a pursuit and primarily responsible for following the suspect vehicle.
- Cover Unit: a sworn member who is involved in the pursuit and may assume responsibility for communication or planning vehicle interventions, when feasible.
- Pursuit: An active, deliberate attempt by one or more members to apprehend ~~one or more occupants of another moving~~ keep pace with a suspect in a vehicle, when it is reasonably apparent that the driver of that vehicle suspect is aware of that attempt and is resisting making an active effort to resist apprehension. This does not include the use of Air Support, trailing, or reasonable efforts by increasing speed, disobeying traffic laws, or attempting to elude the officer through evasive maneuvers or tactics. members to get into position ahead of the suspect to deploy spike strips or other vehicle interventions where it is possible to do so with due regard for the safety of the public.
- Pursuit Intervention Technique (PIT): A driving technique designed to stop a fleeing

motorist safely and quickly by making contact with the fleeing car at a specific point on the vehicle, which throws the car into a spin and brings it to a stop.

- Ramming: The use of an emergency (police) vehicle, other than in a pursuit intervention technique or boxing in maneuver, to purposely cause contact with another vehicle in order to disable the vehicle.
- Stop/Spike Strips: Devices used to deflate tires in a controlled fashion.
- Trailing: A member driving within Code 1, as defined in DIR 0630.10, without emergency equipment activated, while broadcasting updates or observing a suspect vehicle actively resisting apprehension. Trailing is not considered a pursuit.
- Vehicle: For the purposes of this Directive, a vehicle is a motorized vehicle.
- Vehicle Intervention Strategies: Tactics which may be used to stop or reduce the speed of a fleeing vehicle in an attempt to reduce safety risks posed to the community, the suspect, and members (e.g. ~~barriecading,~~ boxing in, pursuit intervention technique, ramming, ~~stop/spike-~~strips).

Policy:

1. The Apprehending suspects is key to the Bureau's mission of reducing crime and the fear of crime, however the Bureau recognizes that vehicle pursuits are dynamic and rapidly evolving in nature and, as a result, have inherent safety risks. Therefore, members are expected to ~~be able to articulate their decision-making with regard to pursuits, and for engaging in and/or continuing a pursuit. The choice to engage in and/or continue a pursuit shall be objectively reasonable under the totality of circumstances~~ only engage in pursuits when the benefits to the public clearly outweigh these inherent risks.
2. ~~Members shall be trained in pursuit management. In an effort to uphold the Bureau's commitment to protecting human life and property, members must balance the safety risks posed to the community against the benefit of capture before initiating and while continuing the pursuit.~~
2. The Bureau shall train all sworn members in pursuit management and intervention techniques. Members shall adhere to this training in both determining whether to engage in a vehicle pursuit and in its management.

Procedure:

1. Pursuit General Requirements for Pursuits and Trailing.
 - 1.1. Authorization.
 - 1.1.1. Only sworn members shall engage in vehicle pursuits. Members may only employ pursuit intervention strategies that are Bureau approved and that they have been trained to use.
 - 1.1.2. Members shall only initiate a pursuit of a suspect fleeing in a vehicle ~~when:~~
 - 1.1.2.1. When there is reasonable suspicion to believe the suspect committed a felony

person crime; or where

~~1.1.1.1.1.1.2.2.~~ Where the suspect's driving conduct/behavior, prior to the initiation of police presence or an attempt to initiate a stop, displays a willful disregard for the safety of others that reasonably places the public in immediate danger of serious bodily harm/physical injury or death.

~~1.2. Members shall not engage in~~ Supervisors may authorize a pursuit under in an extraordinary circumstance not listed above, when it is clear that the following circumstances:

~~1.2.1.1.1.3.~~ The suspect's identity is known and benefits of immediately apprehending the suspect can be apprehended at a future time, and if outweigh the suspect's driving behavior, prior to the initiation of a stop, does not place the public in immediate danger of serious bodily harm or death. ~~risks of the pursuit.~~

~~1.1.3.1.~~ Police vehicles carrying suspects, complainants ~~Supervisors should consider the totality of the circumstances when evaluating whether extraordinary circumstances exist, including:~~

~~1.1.3.1.1.~~ The threat posed by the suspect to the public.

~~1.1.3.1.2.~~ The severity of the crime or witnesses shall not become crimes committed by the suspect.

~~1.2.1.1.1.1.3.1.3.~~ The risk involved in pursuits. ~~the pursuit.~~

~~1.1.3.1.4.~~ Cadets ~~Whether the pursuit is likely to reduce the threat posed by the suspect.~~

~~1.1.3.1.5.~~ The availability of additional units to employ interventions.

~~1.1.3.1.6.~~ If the suspect can be located or apprehended more safely at another time.

1.2. Prohibitions.

~~1.2.2.1.2.1.~~ Members shall not become involved/engage in pursuits; or use vehicle intervention techniques under the following circumstances:

~~1.2.1.1.~~ When, in the totality of the circumstances, the risk to the public, suspects, and members outweighs the benefit of apprehending the suspect; or

~~1.2.1.2.~~ When the member has an objectively reasonable belief, that the suspect can be located or apprehended more safely at a future time.

1.3. Disengagement.

~~1.2.3.1.3.1.~~ Members shall disengage from a pursuit under the following circumstances:

~~1.2.3.1.1.3.1.1.~~ If the member is driving any vehicle other than a four-wheeled pursuit-rated marked unit when a pursuit is initiated, that member shall disengage primary pursuit when a four-wheeled pursuit-rated marked unit is in position to assume the pursuit. -The disengaging unit may follow at a safe distance until the conclusion of the pursuit.

~~1.2.4. Police vehicles carrying passengers other than members, including ride-alongs, chaplains or cadets, shall disengage primary pursuit when a four-wheeled pursuit-rated marked unit is in position to assume the pursuit.~~

~~1.2.4.1.1.3.1.2.~~ The pursuit has entered another jurisdiction, another agency has taken over the primary role in the pursuit, and the other agency has adequate cover present.

~~1.2.4.2.1.3.1.3.~~ If a collision occurs as a result of the pursuit that is reasonably

likely to require immediate medical assistance and more than one police vehicle is in pursuit, at least one pursuing member shall disengage from the pursuit and render appropriate aid while the other members continue pursuit. ~~If only one police vehicle is in pursuit and a collision occurs as a result of the pursuit that is reasonably likely to require immediate medical assistance, but the benefit of~~

~~1.2.4.2.1.3.1.3.1. If only one police vehicle is in pursuit and a collision occurs under these circumstances, but the benefit of capture outweighs disengagement, the pursuing member must call for immediate backup to render appropriate aid; the involved member may continue the pursuit.~~

~~1.2.4.3. For minor accidents not requiring immediate medical assistance, supporting members who are not engaged in the pursuit shall respond to the scene of the accident.~~

~~1.2.4.4. If a member is involved in a collision, they will immediately broadcast that information.~~

~~1.3. When a member initiates a pursuit that they reasonably believe constitutes an extraordinary circumstance, the member shall immediately notify their supervisor of the pursuit and must receive permission to continue the pursuit.~~

~~2. Pursuit Balancing Factors.~~

~~2.1. The below factors should be taken into consideration before deciding to initiate a pursuit, and these factors should be reassessed on an ongoing basis in deciding to continue or reengage in a pursuit. Members must be able to articulate reasons why the benefit of capture outweighs the safety risks posed to the community in the pursuit. Members must terminate a pursuit when the safety risks posed to the community clearly outweigh the benefit of capture. Key factors include:~~

~~2.1.1. The seriousness of the offense committed, and the risk the suspect(s) poses to the community.~~

~~2.1.2. The suspect's driving behavior and vehicle condition, as well as the presence of passengers in the fleeing vehicle.~~

~~2.1.3. The member's knowledge of the area(s), proximity of cover and feasibility of implementing pursuit intervention strategies.~~

~~2.1.4. The type of area, volume and presence of other vehicles and/or pedestrian traffic, and environmental and visibility conditions.~~

~~3. Member Responsibilities:~~

~~3.1. Only a maximum of three units shall engage in a pursuit with lights and sirens continuously activated. Upon initiation, at least one member in the pursuit shall frequently broadcast pertinent information (e.g. location, speed, direction, conditions, requests for specific interventions, etc.). The primary unit shall immediately notify the Bureau of Emergency Communications (BOEC) of the reasons for the pursuit and stay involved in some capacity until termination.~~

~~3.1.1.1.1. Exceptions to the three unit maximum may be authorized by a supervisor under very limited circumstances and only when an unusually dangerous situation dictates (e.g. multiple dangerous suspects, shots fired, armed robbery, etc.). Supervisory approval for additional pursuit vehicles must be authorized~~

~~by voice over the air.~~

~~3.1.2. The decision to attempt to use a pursuit intervention technique maneuver will not alone be a justification for a fourth unit.~~

~~3.2. The managing supervisor will announce their role over the radio, declare if the pursuit is authorized to continue, and respond to the area of the pursuit; supervisors involved in the pursuit shall not assume management responsibilities.~~

~~3.3. Involved members and the supervisor should remain on the initial talk group (precinct dispatch net).~~

~~3.4.1.1. Other members/units in the general vicinity of the pursuit who are not directly involved may proceed with caution to a position that would assist in perimeter support or to deploy stop/spike sticks.~~

~~1.3.1.4. When feasible, the Air Support Unit will become the (ASU) is available, it shall assume primary unit in a pursuit. The ground units will continue at a safer responsibility for coordinating the pursuit and tracking the suspect vehicle. Once ASU is on scene and coordinating the pursuit, other units shall reduce speed and increase following distance and at, unless attempting a reduced speed to respond and take control at the conclusion of the pursuit-coordinated vehicle intervention strategy.~~

~~1.3.1.4.1. The Supervisor managing supervisor will the pursuit shall maintain responsibility for overall control of the pursuit and potential use of pursuit management, including the authority to direct involved units to disengage and allow ASU to follow the vehicle.~~

1.4. Trailing.

~~1.4.1. When a pursuit is not authorized, members may trail the suspect in a code 1 response, without their emergency equipment activated, in order to broadcast updates about the suspect's location to ASU, or when feasible to direct other units into position to attempt a vehicle intervention.~~

~~1.4.1.1. Supervisors may terminate trailing at any time.~~

2. Preplanned Pursuit Authorization:

~~2.1. Preplanned missions may offer the opportunity to mitigate the risk of vehicle pursuits by giving members the opportunity to prepare in advance, and by ensuring that appropriate resources are in place to resolve pursuits quickly.~~

~~2.1.1. All pursuits must be individually justified based on the totality of the circumstances.~~

~~2.2. Responsibility Unit (RU) Manager Responsibilities: An RU manager may authorize pursuits for crimes or driving behavior, not otherwise authorized by Section 1.2 or 1.3 of this directive, as part of a preplanned response or mission. The mission must have a written Incident Action Plan (IAP) that includes at least the following:~~

~~2.2.1 A 24-hour period during which the IAP will be in effect.~~

~~2.2.2 Why pursuit authorization is necessary for the mission.~~

~~2.2.3 What Vehicle Intervention Strategies are in place that increase the likelihood that a pursuit can be resolved quickly and safely.~~

~~2.2.4 The resources available to the mission (e.g., K9, ASU, plain clothes or under cover units), that will make it possible to resolve pursuits more quickly.~~

~~2.2.5 The specific circumstances during the mission or response that will justify the use of vehicle pursuits.~~

~~2.2.6 A designated Bureau supervisor who will authorize and manage pursuits.~~

2.3. Supervisor Responsibilities During Preplanned Missions.

~~2.2.12.3.1~~ Supervisors shall brief all members participating in the mission, on the specific circumstances justifying a vehicle pursuit under the IAP, and any strategies, and resources in place to safely resolve pursuits.

2.3.2 Pursuit Authorize and manage pursuits consistent with the requirements of this directive.

2.4. Member Responsibilities During Preplanned Missions.

2.4.1 Only members assigned to a mission or preplanned response may initiate a pursuit authorized under this section, unless the mission supervisor authorizes a non-assigned member to initiate the pursuit.

2.4.2 Members not involved in the preplanned mission or response may participate in a pursuit authorized under this section as needed.

2.4.3 Members are still responsible for all other parts of this directive.

4.3. Vehicle Intervention Strategies and Standards.

~~4.1.1.1.1.1. Members may only employ pursuit intervention strategies that are Bureau approved and that they have been trained to use.~~

3.1. Certain vehicle Interventions, as noted below, are force. As such Directive 1010.00, Use of Force, applies to those interventions, and any application of force must be objectively reasonable under the totality of the circumstances.

3.2. Members may shall use the lights and sirens, prior to using a Vehicle Intervention Strategy, unless preemptive use is justified.

3.3. Preemptive Use of Vehicle Interventions.

~~4.1.2.3.3.1. Members may use a Vehicle Intervention Strategy prior to a subject eluding or the initiation of a pursuit intervention strategies listed below with lights/siren warnings when it is objectively reasonable to do so under the totality of the circumstances.~~

~~4.2. When feasible, it is the supervisor's responsibility to ensure pursuit intervention strategies are planned and deployed as soon as practical.~~

~~4.3. Members should, if time and circumstances permit, continually broadcast their intentions and actions as they use pursuit intervention strategies.~~

3.3.1.1. A member's belief must be based on specific articulable facts about the suspect and their behavior including but not limited to; deactivating lights, changed driving behavior after observing police, or prior flights by the suspect.

3.3.1.2. Members may preemptively use a Vehicle Intervention Strategy without activating lights and sirens as a warning.

3.4. Authorized Vehicles.

~~4.4.—Members may only use the following Bureau-approved strategies. Unless otherwise noted, these strategies shall implicate force.~~

~~4.4.1.3.4.1. Boxing In: This tactic may be employed preemptively, meaning without lights/siren warnings, if a pursuit of vehicles authorized by the subject Training Division to perform specific vehicle would be permitted under Section 1.1. of this directive. This tactic may also be employed preemptively in a static environment (e.g., the driver appears incapacitated or unconscious; the subject vehicle is stationary in a parking lot) if the benefit gained outweighs the inherent risks of the maneuver. Finally, this tactic may be employed preemptively in a dynamic environment (e.g., the subject vehicle is temporarily stopped at a traffic control device) when there is probable cause to arrest a suspect in a vehicle and the totality of the circumstances indicates the suspect will attempt to avoid detention and arrest, or when the suspect's driving behavior displays a willful disregard for the safety of others which reasonably places the public in immediate danger of serious bodily harm or death. As described in Directive 1010.00, Use of Force, boxing in will be investigated as a Category IV use of force, if conducted at speeds at or below 20 miles per hour in conjunction with training. If the tactic is conducted at speeds above 20 miles per hour, the intent and manner in which the technique is used shall be considered to determine the appropriate category of force, as described in Directive 1010.00, Use of Force. Members are interventions.~~

~~required to provide substantial justification under these circumstances, and supervisors have the discretion to elevate the category of the force investigation.~~

- ~~4.4.2. *Pursuit Intervention Technique*: This tactic shall not be used on two-wheeled vehicles, passenger-occupied buses, and vehicles transporting hazardous materials. This tactic may be employed preemptively, meaning without lights/siren warnings, when there is probable cause to arrest a suspect in a vehicle and the totality of the circumstances indicates the suspect will attempt to avoid detention and arrest, or when the suspect's driving behavior displays a willful disregard for the safety of others which reasonably places the public in immediate danger of serious bodily harm or death. As described in Directive 1010.00, Use of Force, the PIT maneuver will be investigated as a Category III use of force, if conducted at speeds at or below 45 miles per hour in conjunction with training. If the tactic is conducted at speeds above 45 miles per hour, the intent and manner in which the technique is used shall be considered to determine the appropriate category of force, as described in Directive 1010.00, Use of Force. Members are required to provide substantial justification under these circumstances, and supervisors have the discretion to elevate the category of the force investigation.~~
- ~~4.4.3. *Ramming*: Members should only employ this tactic in extraordinary circumstances. Any use of ramming requires substantial justification. As described in Directive 1010.00, Use of Force, ramming will be reviewed as a Category II use of force; however, supervisors have the discretion to elevate the category of the force investigation. The intent and manner in which the technique is used shall be considered when making the determination to elevate the investigation.~~

3.5. *Boxing-In.*

3.5.1. *Static Box-Ins*: Members may employ this tactic when the member reasonably believes that in the totality of the circumstances the benefits of the maneuver outweigh the risks. To be considered a static box-in, the subject vehicle MUST NOT be in motion, and the maneuver is not reasonably likely to cause injury or damage.

3.5.1.1. A static box in may be performed using a fixed object when it is not feasible to use a second police vehicle.

3.5.1.2. A static Box-in that results in an injury or where the maneuver is reasonably likely to cause injury is reportable force.

3.5.1.2.1. Members must document static box-ins in an appropriate police report.

3.5.2. *Dynamic Box-Ins*: Members may employ this maneuver when it is reasonable under the totality of the circumstances, taking into account the suspect's behavior, speeds, vehicle and road conditions, and the underlying offense.

3.5.2.1. A dynamic box-in must be performed using two or more police vehicles.

3.5.2.2. As described in Directive 1010.00, Use of Force, Dynamic Box-Ins are considered force and will be reviewed consistent with Directive 0910.00 Use of Force Reporting, Review, and Investigation.

3.6. *Pursuit Intervention Technique.*

3.6.1. Members shall not use this tactic on two-wheeled vehicles, passenger-occupied buses, or vehicles transporting hazardous materials. Members may employ this

maneuver when it is reasonable under the totality of the circumstances, including the suspects behavior, speeds, vehicle and road conditions, and the underlying offense.

3.6.2. Pursuit Intervention Techniques are considered force and will be reviewed consistent with Directive 0910.00 Use of Force Reporting, Review, and Investigation.

3.7. Ramming.

3.7.1. Ramming carries a higher risk of injury or property damage than other interventions. Members may use a vehicle ram when it is reasonable under the totality of the circumstances, taking into account the suspect's behavior, speeds, vehicle and road conditions, and the underlying offense. Members must also consider the specific ramming technique used, and whether it is reasonably likely to cause injury.

3.7.2. Ramming is considered force and will be reviewed consistent with Directive 0910.00 Use of Force Reporting, Review, and Investigation.

4.5.3.8. Stop/Spike Strips: ~~This tactic is not considered force.~~

3.8.1. Member use of this tactic does not constitute force.

3.8.2. Members may employ the device, when reasonable under the totality of the circumstances.

3.8.3. Members may not employ Stop Sticks/Spike Strips on two or three wheeled vehicles.

5.4. Pursuits Involving Other Jurisdictions.

5.1.4.1. For pursuits coming into the Bureau's jurisdiction from another jurisdiction, the managing supervisor will determine whether members will become involved in the pursuit. If the supervisor determines that the Bureau will assist in the pursuit, members may only engage in the pursuit consistent with this policy, regardless of the policies of the originating jurisdiction.

5.2.4.2. For pursuits beginning in Bureau jurisdiction, but leaving from this jurisdiction, it is the responsibility of a managing supervisor or a designated member of the primary pursuing unit to: 1) inform the receiving jurisdiction of the conditions giving rise to the pursuit and the actions taken during the pursuit; and 2) request assistance from the receiving jurisdiction. If the receiving jurisdiction agrees to assume primary control of the pursuit, once that transfer occurs, the Bureau will only continue the pursuit in a supporting role. If the receiving agency elects to terminate the pursuit while in that jurisdiction, PPB members will also terminate the pursuit. 3)

4.2.1. Members will terminate a pursuit that travels into the State of Washington, unless the underlying offense is a violent person-to-person felony.

5.3.4.3. Supervisors shall manage ensure notification and direct control of pursuits that either extend into, or are received from other jurisdictions, including the State of Washington.

5. Pursuit Termination.

~~6.1. Pursuit Termination~~

6.1.5.1. Members must terminate a pursuit when the safety risks posed to the community clearly outweigh the benefit of capturing the suspect. Termination may be called by any sworn member, whether involved in the pursuit or not. Members will terminate a pursuit when ordered to do so by any supervisor. ~~Members will terminate a pursuit that travels into the State of Washington, unless the underlying offense is a violent person-to-person felony.~~

6.2.5.2. Once a pursuit is terminated, involved members shall verbally acknowledge the termination over the radio, disengage and stop following the suspect vehicle. If involved in the pursuit, the Air Support Unit may continue to monitor the fleeing vehicle, but reengagement by ground units is limited by Section 76 of this Directive.

5.2.1. Members may, with supervisor approval, trail a suspect vehicle following a termination.

6.3.5.3. Per Directive ~~3400310~~.20, Discrimination, Harassment, and Retaliation Prohibited, members shall not retaliate against involved members regarding the decision to terminate a pursuit.

6.4.5.4. Members shall refer concerned property owner(s) whose property may have been damaged during a pursuit to the City of Portland's Risk Management Office, in accordance with Directive ~~2200220~~.40, Lawsuits and Claims.

7.6. Pursuit Reengagement.

7.1.6.1. After termination, a member may reengage a pursuit of the suspect vehicle only with the permission of a supervisor, and if the member is able to articulate ~~new reasons why the benefit of capture outweighs~~ circumstances have changed, and why the safety benefits of apprehension now outweigh the risks posed to the community as a consequence of the pursuit ~~(See Section 1, Pursuit Authorization and Section 2, Pursuit Balancing Factors).~~

8.7. Reporting.

7.1. ~~Involved members~~ Members who engaged in the pursuit and/or employed or attempted any vehicle intervention techniques shall complete an appropriate police report detailing the pursuit in accordance with directives, ~~and supervisors.~~

7.2. Members shall document the use of stop/spike strips in an appropriate police report.

7.3. Supervisors will complete ~~any required force after-action reviews and~~ investigations in accordance with Directive ~~10100910~~.00, Use of Force Reporting, Review, and Investigation, or Directive ~~9050905~~.00, Non-Force After Action Reports.

~~8.1.1.~~7.3.1. The intervention strategies detailed above, when used on a subject's vehicle, are not accidents, and thus do not require accident-related investigation and reporting.

7.4. ~~Supervisor~~ The Chief's Office will complete an annual report that covers trends in pursuits and identifies training, policy, and personnel issues, when applicable.

8. General Responsibilities for Members.

8.1. Members must continuously weigh the totality of the circumstances to determine whether the benefits of apprehension outweigh the risk of the pursuit.

8.2. Only a maximum of three units shall engage in a pursuit with lights and sirens continuously activated.

8.2.1. A supervisor may authorize exceptions to the three-unit maximum under very limited circumstances and only when an unusually dangerous situation dictates (e.g., multiple dangerous suspects, shots fired, armed robbery, etc.). Supervisory approval for additional pursuit vehicles must be authorized by voice over the air.

8.2.2. The decision to attempt to use a vehicle intervention technique maneuver will not, alone, be a justification for a fourth unit.

8.3. The primary unit shall, as soon as feasible, broadcast the initiation of the pursuit, its location, and the reasons for it. The primary will then broadcast regular updates with pertinent information (e.g., location, speeds, road conditions, suspect behavior).

8.3.1. When a cover unit joins the pursuit, this member may assume responsibility for communications, when feasible. Any additional cover units involved in the pursuit will support the primary unit and look for opportunities to safely employ vehicle interventions to end the pursuit.

8.4. Other members/units in the general vicinity of the pursuit who are not directly involved may proceed with caution to a position that would assist in perimeter support or to deploy stop/spike sticks.

8.5. Members shall not initiate a pursuit or use vehicle intervention strategies (other than spike strips), when transporting suspects, witnesses, complainants, or ride-along participants, or other members of the public (i.e., non-Bureau members) unless there is an imminent threat to life to the public or the member.

8.5.1. This does not apply to sworn officers from other agencies, or city employees acting within the scope of their employment.

8.6. Members carrying cadets, PS3s, chaplains, or other non-sworn Bureau members will disengage from a pursuit, as soon as feasible.

9. General Responsibilities for Supervisors.

9.1. In managing a pursuit, supervisors shall:

9.1.1. Announce their role over the radio;

9.1.2. Determine if the pursuit is ~~prohibited~~ authorized and announce that decision on the radio;

9.1.3. Respond to the area of the pursuit;

9.1.4. Continually balance the safety risks posed to the community against the benefit of capture in managing the pursuit;

9.1.5. Authorize and direct additional units to engage in a pursuit, as needed;

9.1.6. Ensure radio communication between all applicable parties;

9.1.7. Devise, approve, and direct appropriate pursuit intervention strategies

to end a pursuit as quickly as possible, so as to avoid or mitigate safety risks;
~~9.1.6.9.1.8.~~ Manage notification and direct control of pursuits that either extend into or are received from other jurisdictions;

~~9.1.7.9.1.9.~~ Order the pursuit be terminated when necessary (e.g., members are not adequately broadcasting updates, intervention strategies are not being ~~planned or implemented, there are not enough resources available to employ intervention the safety risks posed to the community clearly outweigh the benefit of capture~~);

~~implemented, the safety risks posed to the community clearly outweigh the benefit of capture).~~

~~9.1.7.1.9.1.9.1.~~ If ordering termination of a pursuit, verify with the involved member(s) their location at the time of the pursuit termination and document that location in the After-~~_-~~Action Report.

~~9.1.8.9.1.10.~~ Ensure reports are completed in accordance with directives.;

Conduct a debriefing with all involved members. The debrief should include an overview of the pursuit and, when applicable, a discussion of any vehicle intervention strategies employed. Confirm that the debrief occurred in the After-~~_-~~Action Report.

~~9.1.9. Complete an after action review and follow reporting requirements based on the category of force outlined in Direction 1010.00, Use of Force, and determine whether higher scrutiny is warranted based on the speed at which the vehicle intervention strategy was used pursuant to Section 4.4.~~

~~9.1.9.1. If no force is used, supervisors shall conduct a pursuit after action investigation pursuant to Directive 905.00, Non-Force After Action Reports.~~

~~10. Command Staff Responsibilities.~~

~~10.1. The Assistant Chief of Operations, or designee, shall prepare an annual report analyzing Police Bureau pursuits.~~

~~10.2. Command staff shall review the annual report, discuss trends, identify gaps, and direct necessary policy and training updates in accordance with Directive 1500.00, Training.~~

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, July 01, 2022 11:45:00 AM
Last Modified: Friday, July 01, 2022 11:51:53 AM
Time Spent: 00:06:52

Page 1

Q1

Please provide feedback for this directive

Allowing officers to engage in vehicle pursuits provides the community with a piece of accountability which has been missing. Record numbers of stolen vehicles have been reported and their use in other major crimes prevents investigators from conducting meaningful follow-up. Understanding the dangers involved with police vehicle pursuits the Supreme Court and Ninth District court maintains the police need for vehicle pursuits to apprehend suspects who fail to obey an officers direction to stop. Eluding the police is a felony level crime in Oregon and those who do not obey officers should be held accountable. Officers need to have the ability to make the decision on pursuing a suspect more than the current policy allows. Officers are hired and employed for their robust decision making skills and should be allowed to utilize the skills when determining the appropriateness of vehicle pursuits.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, July 02, 2022 11:07:15 PM
Last Modified: Saturday, July 02, 2022 11:32:59 PM
Time Spent: 00:25:43

Page 1

Q1

Please provide feedback for this directive

I really believe vehicle pursuits are dangerous for the community and every person involved. So officers need to honestly only do this if it's a serious criminal that has committed a terrible crime. If not it's not worth putting other drivers at risk of getting hurt and having property damaged and risking deaths to the person being pursued and others involved and people not involved but in danger of collisions. It's time for Portland police officers to start protecting the community not by finding a crime by unnecessary traffic stops and searches of car and belongings. People have become untrusting of officers because of cops looking to find someone who might have something they can throw a charge at them and ticket them for instead of actually pursuing crimes that are called in and real dangerous people that are a real danger to the public. If a person isn't hurting anyone or and isn't actually committing violent harm then petty things like cops harassing people of the community who have addictions and people who might have a car light out or didn't turn on a turn signal isn't worth doing anything but letting them know and leaving it at that. No more of this pulling people over for having a headlight out just to ask for identification and then finding a unnecessary reason to search through someones vehicle. There's real criminals out that need to be stopped from harming children and sex offenders and murderers that need to be focused on instead of the BS reasons Portland police have been arresting people of the city for. Please consider what I'm saying because lots of people are really sick and tired of the lack of good work from the police people are sick of feeling like cops are out to get anyone for any reason they can use against a person even people who aren't criminals and try not to break any laws get scared of being pulled over or talked to / harassed by police because cops continue to make people feel like there just a big gang group themselves that have the authority and strength and tools to take people and put them in locked boxes. Thank you for reading this and I hope you take my feedback seriously.

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Katherine**

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, July 06, 2022 2:03:16 PM
Last Modified: Wednesday, July 06, 2022 2:05:47 PM
Time Spent: 00:02:30

Page 1

Q1

Please provide feedback for this directive

1. The policy states the choice to engage and continue a pursuit "shall be objectively reasonable under the totality of the circumstances." Section 2 of the procedure provides a list of four "key factors." Providing a list of "key factors" is inconsistent with policy, which requires an analysis based on all the facts and circumstances. Providing a list of "key factors" suggests the listed factors may be given additional weight over other, possibly more relevant ones. To avoid confusion, the word "key" should be removed from section 2.1, and a new section 2.1.5 should be added as a catch all for "any other articulable reason justifying the initiation, continuation, or termination of a pursuit."

2. Section 7.1 (Pursuit Reengagement) requires "new reasons" to reengage a previously terminated pursuit. It is appropriate to revise "new reasons" to a broader "any change in circumstances." A factor does not need to be "new" in order to justify reengagement.

3. Overriding comment - The policy and procedure use the words "must," "shall," and "will" interchangeably. It is not clear whether there is any intended difference among these. Recommend noting in the definitions section each of these means the same thing and may be used interchangeably, or revising throughout for consistent word choice.

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Justin Hobson**

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, July 14, 2022 4:34:33 PM
Last Modified: Thursday, July 14, 2022 4:35:10 PM
Time Spent: 00:00:36

Page 1

Q1

Please provide feedback for this directive

If you could punish officers for being part of a far right, white-nationalist insurgency like Oath Keepers, that would be great.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, July 15, 2022 3:18:50 PM
Last Modified: Friday, July 15, 2022 3:19:22 PM
Time Spent: 00:00:31

Page 1

Q1

Please provide feedback for this directive

COMMENTS on Vehicle Pursuit, Mental Health and Procedural Justice Directives, July 2022

COMMENTS ON VEHICLE PURSUIT, MENTAL HEALTH AND PROCEDURAL JUSTICE DIRECTIVES, JULY 2022

To Chief Lovell, Inspector Buckley, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Portland Committee on Community Engaged Policing, Mayor/Police Commissioner Wheeler, US Dept. of Justice, Citizen Review Committee and the Portland Police Bureau:

Below are our comments on the Directives posted for review on in July . With the exception of the Vehicle Interventions and Pursuits policy, which was last posted in 2018, these are all "Second Universal Reviews" which we commented on earlier this year.

We have asked that the Bureau release, during the First Universal Review, a list of known issues that are going to be addressed in the revisions. This would both alert community members to the appropriate parts of the Directives and make it so that Portland Copwatch can't claim victory when the Bureau was already planning to make changes we suggest. So it's a win-win.

While some of our previous suggestions have been incorporated, they were not necessarily made in ways that improve the policies, and are few in number.

It would greatly help the navigation of the hundreds of policies if the Bureau would give different labels to all of the sections of the Directives, such as the Definitions, Policy and Procedure sections so there are not multiple sections numbered "1." Our comments here refer to the Procedure section unless otherwise noted.

630.05 VEHICLE INTERVENTIONS AND PURSUITS (previous comments December 2018)

It appears that some renumbering was done since we last made our comments, but no positive movement is apparent in the substance. Also, one item on which we complimented the Bureau was watered down. Some of these comments date all the way back to 2015. Notably we're making these comments in the wake of a shooting which garnered national attention where officers initiated a chase, followed up with a foot pursuit, and fired 60 bullets at Jayland Walker.

--Good Deed Undone: The Section for which we complimented the Bureau last time (9.1.7.1) had instructed Supervisors to go to the scene when an officer called off a pursuit to be sure the chase was actually stopped. The current version only calls for the Supervisor to "verify with the involved member their location at the time of the pursuit termination and document that location."

--Ask Forgiveness, Not Permission: Section 1.4 still lets an officer start a pursuit which doesn't meet the Directive's standards without getting permission from a Supervisor; they can then ask for the OK while the chase is in progress and continue if approved.

--If a Civilian Deliberately Hit a Car...: "Ramming" involves officers slamming into a person's vehicle to disable it, but is considered one level less serious than Deadly Force, even though it can be "elevated" based on intent and manner (Section 4.5.3). How would a civilian who deliberately hit another vehicle be charged?

--Other Potential Deadly Force: "Boxing In" (4.5.1) is considered minor force (Category IV) if done at under 20 Miles Per Hour, and the "Pursuit Intervention Technique" (PIT-spinning a car by hitting its bumper-- Section 4.5.2) is slightly more serious (Category III) if done under 45 MPH. However, if Boxing in is done above 20 MPH or PIT at over 45 MPH, the category is to be determined using Directive 1010-- indicating they could be considered Deadly Force.

----Chaperones Should Be Sure There's No Touching: It's not clear why cars cannot be "boxed in" from a few inches away rather than having officers make contact with the suspect's vehicle, as is described in the definition of that tactic. This seems overly dangerous

and restrictive.

--Don't Shoot at Moving Cars: The old section stating that shooting at a moving vehicle is considered Deadly Force has still not been reinserted; PCW suggests at least referring to Directive 1010 Section 8.5 which covers both inadvisable ideas of shooting at and shooting from moving cars.

--How is this NOT Force?: The Directive explicitly states that use of spike strips are not considered force, even though a vehicle coming to a sudden stop could cause serious injury (4.5.4).

--Officers Should Consider: Two factors officers were supposed to consider when engaging in chases were previously removed but have not been reinserted: "condition of police vehicle and equipment" and "communication limitations."

--Limit Non-Police: The Section prohibiting Reserve Officers from engaging in pursuits "unless there is a life-threatening condition" has not been reinserted.

--No Police Hit-and-Runs: Section 1.3.4 covering what officers should do if there is an accident or collision during a chase should require an officer to remain at the scene of a collision just like any other community member.

--Take Responsibility for Deliberate Crashes: An officer who uses ramming or the PIT maneuver should once again be required to notify a supervisor (Sections 4.5.2 and 4.5.3).

CONCLUSION

Chief Lovell made a comment at a meeting recently about how public comments have been incorporated to improve PPB policies. While it is nice to be acknowledged, the reality is that the Bureau has either ignored or mis-applied the vast majority of comments Portland Copwatch has made over the years. We continue to believe that direct dialogue about the changes during public meetings would lead to an improved process, improved outcomes, and improved trust. The PPB could better understand community members' concerns and explain its rationale for why things are written in a certain way. Given the requirement for advisory bodies such as the Citizen Review Committee, Portland Committee on Community Engaged Policing and Training Advisory Council to make policy recommendations, holding these meetings in conjunction with those groups would make sense. Extending the deadlines to comment would also allow those groups, which only meet once every month or two, time to formulate meaningful feedback.

Finally, we once again call attention to the fact that a higher percentage of people in mental health crisis have been shot/shot at/killed by Portland Police officers since the implementation of the US Department of Justice Settlement Agreement. So while the policies focusing on this vulnerable part of the population are improving, they are still not fixing an underlying issue where force is relied on too heavily.

--dan handelman (and other members of)

--Portland Copwatch

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name

Portland Copwatch

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, October 12, 2023 10:53:32 AM
Last Modified: Thursday, October 12, 2023 10:53:47 AM
Time Spent: 00:00:15

Page 1

Q1

Please provide feedback for this directive

Test

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **PDT**

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 13, 2023 9:02:47 PM
Last Modified: Friday, October 13, 2023 9:09:09 PM
Time Spent: 00:06:21

Page 1

Q1

Please provide feedback for this directive

As a citizen of Portland, and a victim of crime that the police could not do much about, this directive concerns me. I believe the Police's hands are too tied and their options are too limited. I think you need to give officers discretion on who they pursue. They are well trained, and if they feel they can safely pursue a vehicle that eludes them, they should be given the discretion to do so. The people that run from the police are the ones who are causing mayhem in this once beautiful city. It is the job and responsibility of the police to catch these people. Give them the tools to do this. AKA: if someone elides the police for anything, let them pursue! And then trust the officers judgment and discretion on if it is worth pursuing based on the circumstances. This directive is too limiting. Please consider changing it to allowing for police to pursue on all crimes such as eluding the police. It makes sense to me that if you are running from the police there is probably a reason. It's time to give the power back to the police to do their job and not give criminals a free pass.

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Concerned citizen.**

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, October 16, 2023 10:28:19 AM
Last Modified: Monday, October 16, 2023 10:38:19 AM
Time Spent: 00:10:00

Page 1

Q1

Please provide feedback for this directive

Definitions and Section 4.5.1. Static Box-Ins: Members may employ this tactic when the member reasonably believes that in the totality of the circumstances the benefits of the maneuver outweigh the risks. To be considered a static box-in, the vehicle **MUST NOT** be in motion, and the maneuver is not likely to cause injury or damage.

When the police vehicle contacts the suspect vehicle, there will be some incidental motion transferred from the inertia of the police vehicle coming into contact with the suspect vehicle. In this instance the second police vehicle to contact the suspect vehicle will contact a vehicle in motion. Under a strict interpretation, which inevitably happens during command review, the second police vehicle would have done a dynamic box in.

This could be alleviated by describing that incidental motion induced into the suspect vehicle by a police vehicle doesn't count as motion. Or even simpler would be adding "the vehicle must not be in motion, OF ITS OWN POWER"

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, October 16, 2023 2:48:40 PM
Last Modified: Monday, October 16, 2023 2:49:40 PM
Time Spent: 00:00:59

Page 1

Q1

Please provide feedback for this directive

Can we have 8.3. read like this:

The Chief's Office will complete an annual report that covers trends (demographic, operational etc.) in pursuits and identifies training, policy, and personnel issues, when applicable.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, October 16, 2023 8:28:24 PM
Last Modified: Monday, October 16, 2023 10:26:06 PM
Time Spent: 01:57:42

Page 1

Q1

Please provide feedback for this directive

After reviewing the new pending Vehicle Pursuit Policy, there are a few areas regarding bringing concern. I believe that pursuits are an important action of the police. I also understand that they are dangerous, and come with inherent risks and liability.

This policy has redefined what a pursuit is. The policy redefines a pursuit as "An active, deliberate attempt by one or more members to apprehend, keep pace with, or observe a suspect in a vehicle, when the suspect is making an active effort to resist apprehension."

If a vehicle eludes police, and officers respond to the general area of where the suspect is fleeing to, they attempt measures such as stop sticks, preemptive PITS, etc. The new policy appears to define that as an active, deliberate attempt, or a pursuit. In reality, that should not be considered a pursuit. For example, when a vehicle eludes an officer on one of our freeways, but reduces their speed back to the speed limit, officers can observe the vehicle while miles away while obeying traffic laws. If an officer sees the suspect vehicle take an exit, and broadcasts this information, this could be seen as a pursuit per this new definition.

Another factor to consider is the preemptive use of a PIT. It is currently allowed per policy, and is a great tool for us to be able to stop these suspects who carelessly and recklessly put the entire community at risk of death or serious physical injury while they elude. However, per the new pursuit definition, we cannot keep pace with a vehicle, which is required even if only for a moment to accurately get the speeds for such intervention technique.

The city has been facing record highs of serious, violent crimes, fatal crashes, and emboldened criminals. Having a strict pursuit policy creates an environment as seen in the "Broken window theory." We have seen more and more people elude police. I have also seen neighboring agencies pursue vehicles, and those suspects will almost always attempt to get into Portland, for the specific fact they have a high chance of getting away and not facing consequences for their actions. I have been told time and time again by people who have been arrested after eluding PPB that they do not fear the crime of eluding, for many reasons, which include:

- They do not think that police will be able to catch them.
- The repercussions are minimal, and they feel that they will be let off easy.

We also have high numbers of stolen vehicles. I know from experience that people in stolen cars have almost no regard for anyone else. They drive in such a manner that puts drivers/pedestrians on the road, even occupants of buildings at risk. They do not care if they crash, even if police are not pursuing. We have also seen cars run from police for 30+ minutes without seeing marked police vehicles throughout that span. By us not being able to pursue and quickly and swiftly end these driving behaviors, or at least follow with lights and sirens to warn the public, innocent people are put at risk.

I would also add that Oregon Domestic Violence laws mandate arrests for certain crimes. This policy currently would not allow police to pursue for a mandatory arrest, and we may have to tell the victim that we had to let the suspect go and could not arrest them. I've seen the trend where domestic violence arrestees are often repeat offenders. We are potentially allowing them to keep victimizing the same person by allowing them to escape.

Chief Day has been saying that he is wanting to reduce crime rate, reduce the citizens' fear of crime, and make this city safer. I believe that this policy contradicts that statement. By allowing felony suspects to elude arrest, it does not allow police to reduce crime or the fear of committing crime. By continuously allowing them to drive recklessly, it makes the city less safe as more people may be placed in harms way of these dangerous individuals.

Thank you for your consideration.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#6

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, October 17, 2023 12:20:24 AM
Last Modified: Tuesday, October 17, 2023 12:20:58 AM
Time Spent: 00:00:33

Page 1

Q1

Please provide feedback for this directive

0630.05 Vehicle Interventions and Pursuits

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **NA**

#7

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, October 17, 2023 12:21:09 AM
Last Modified: Tuesday, October 17, 2023 12:29:37 AM
Time Spent: 00:08:28

Page 1

Q1

Please provide feedback for this directive

Given the new Chief's #1 priority of reducing crime and the fear of crime, this new policy does a great disservice to the citizens of Portland. This policy will embolden criminals to keep eluding officers which in turn does not allow them to be held accountable for their actions.

The Portland Police Bureau should move to a reasonableness standard for pursuits and put the management responsibilities on the supervisors. If simply keeping pace or observing the suspect vehicle constitutes a pursuit. Then no intervention strategies will ever be implemented.

Officers should be able to engage in a pursuit and evaluate the conditions before deciding on if the pursuit will continue. If a vehicle is only eluding at 30mph and obeying traffic control devices, then officers should be able to keep pace and eyes on the vehicle.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#8

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, October 18, 2023 1:07:46 PM
Last Modified: Wednesday, October 18, 2023 1:42:15 PM
Time Spent: 00:34:28

Page 1

Q1

Please provide feedback for this directive

I have reviewed the policy. I like that fact that it appears on the surface to be easier to read and understand. The one thing that I disagree with is the fact that the statement "COMMITMENT TO PROTECT HUMAN LIFE AND PROPERTY" has been taken out of the policy. THIS IS THE REASON WE HAVE A PURSUIT POLICY! The policy protects us from ourselves. It protects citizens and property owners from our own drive to apprehend anything and everything. I heard that the Mayor went on a ride along and saw an officer who was following the policy and did not pursue a car based on the policy. What the Mayor doesn't know is that pursuits are a huge liability for the City of Portland. I fear that with an expanded policy that allows for pursuits during a planned mission, we are opening ourselves, the City of Portland, private citizens and property owners up to the risks associated with pursuits. This greatly outweighs any prosecution.

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Ryan Lewton**

#9

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, October 18, 2023 5:04:49 PM
Last Modified: Wednesday, October 18, 2023 5:10:03 PM
Time Spent: 00:05:14

Page 1

Q1

Please provide feedback for this directive

It is known by criminals that the police can not pursue fleeing vehicles. There has been a substantial increase in vehicles eluding traffic stops and eluding before police even attempt a traffic stop.

Since no matter why a pursuit is started, the benefits must be weighed against the risk posed to the community and pursuits are managed by members and supervisors the police should be able to engage in pursuits for any vehicle that eludes. The pursuit should be managed and can be terminated by any member.

In the event that certain crimes are listed as pursuable I believe that suspicion of DUII should be added to the list.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#10

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 20, 2023 11:38:47 AM
Last Modified: Friday, October 20, 2023 12:25:48 PM
Time Spent: 00:47:01

Page 1

Q1

Please provide feedback for this directive

The definition of pursuit in the directive is still unclear and leaves to much ambiguity. The dictionary defines a pursuit as the act of following someone or something to catch them. If the use of Air Support and vehicle interventions is for the purpose of of catching someone it should be considered a pursuit for report writing and requires approval by a supervisor. By not calling vehicle interventions pursuits their is no required opportunity for growth that a debrief or after action would provide.

Section 1.2.1 instead of listing specific crimes for a pursuit should just incorporate the language that under the totality of the circumstances the benefits must outweigh the risks.

Section 2 should be incorporated into Sections 1.2 and 1.3 and the necessity for a pre-approved IAP should be removed. Supervisors can already authorize pursuits for extraordinary circumstances and having this section just adds to the ambiguity of the pursuit policy. An IAP is written for a mission and not a specific shift or day so the resources listed may or may not be ultimately available.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#11

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, October 23, 2023 10:13:51 AM
Last Modified: Monday, October 23, 2023 10:25:52 AM
Time Spent: 00:12:00

Page 1

Q1

Please provide feedback for this directive

There is a superfluous comma in this section after the second word, "transporting":

1.4.3. When transporting, suspects, witnesses, complainants, ride-along participants, or other members of the public (i.e., non-Bureau members) not covered elsewhere in this directive, unless there is an imminent threat to life to the public or the member.

For decades, PPB has trained Members on high risk stops, which involve 4 vehicles yet limit the pursuit to 3 vehicles. Please change the directive to allow up to 4 vehicles to be directly involved so immediate cover is there. This has never made any sense.

For decades, PPB has managed pursuits extraordinarily yet each few years, the pursuit policy becomes more and more restrictive. A direct result is an astronomical increase in felony eludes. A prime example is a stolen vehicle. PPB used to pursue and capture countless stolen vehicles without issue, yet that was struck down as a pursuable crime many years ago. When a stolen vehicle is recovered, it almost always turns out to have been in either a person crime and/or a gun related crime (usually both). It is less likely the vehicle was stolen simply for a joy ride. Stolen vehicles are almost always used to commit more serious person crimes. I would bet my next paycheck that if there was a way to collect the data on stolen vehicles that PPB let go, due to the restrictive policy, that went on to commit a serious person crime (or had already committed the crime but escaped when they fled a traffic stop), the city would be embarrassed and litigated for basically allowing the suspects to escape on a daily basis.

Portland's lawlessness is a direct result of being soft on crime. Portland's record-breaking felony eludes is a direct result on being completely hands off when it comes to stolen vehicles. If Portland started holding people accountable for crimes they've committed, maybe we would eventually have less of it. If I was a bad guy, I'd steal cars every day knowing that as long as I take off and drive just fast enough to not place people into danger, I will never be pursued and never held accountable for a felony. Meanwhile, the victim and the community continue to suffer..

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Portland Police Sergeant**

#12

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, October 23, 2023 2:17:56 PM
Last Modified: Monday, October 23, 2023 2:19:03 PM
Time Spent: 00:01:07

Page 1

Q1

Please provide feedback for this directive

The definition of Box-In should reflect the authorized use of a non-vehicle or non-police vehicle secondary hard point.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#13

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, October 25, 2023 10:01:26 PM
Last Modified: Wednesday, October 25, 2023 10:14:54 PM
Time Spent: 00:13:27

Page 1

Q1

Please provide feedback for this directive

This policy is a step in the right direction by pre authorizing pursuits under certain circumstances. However, even these allowances are far too restrictive on the vast majority of instances. Instead of focusing on a narrowly defined scope of who can pursuit vehicles, we should reevaluate what circumstances we should be pursuing vehicle's.

Widen the criteria and allow officers more discretion on when to pursuit or not, with supervisory override. By not allowing officers to hold criminals accountable it leads to the delegitimization of PPB.

People who elude don't choose to only do it when there is a mission to apprehend them. This policy stinks of bureaucrats writing policy to appease the city attorney rather than writing a policy that serves the public and holds criminals accountable.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#14

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, November 02, 2023 6:24:02 AM
Last Modified: Thursday, November 02, 2023 6:58:55 AM
Time Spent: 00:34:52

Page 1

Q1

Please provide feedback for this directive

I think this pursuit policy is too restrictive. I have seen over the years that the roads have become more dangerous because criminals (and even average citizens) are willing to risk running to avoid the consequences of being pulled over. They also plain drive faster knowing if a police officer tries to stop them, they can run and there is a high likelihood they will get away. It is a cost/benefit analysis and more people seem to be willing to take the risk now. This is not to say we should chase everything that moves regardless of the situation, but I do think we need to go back to our older policy that allowed the officer to decide whether or not they should initiate a pursuit based on the circumstances, their skill level, weather, available tools, etc. We did a very good job managing pursuits in the past and this policy only came about because it was supposedly "best practice". However, the unintended consequences seem to be a lot worse. From what I understand, traffic fatalities have increased over the years since this policy was implemented. As I sit out on surveillance or drive around the city, I notice way more people driving recklessly. Obviously, there are several factors that play into this. However, from what I am hearing and seeing, the fact officers do not pursue cars except for limited situations, is definitely playing a role in the dangerous driving.

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Detective Brent Christensen**

#15

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, November 02, 2023 8:34:42 PM
Last Modified: Thursday, November 02, 2023 8:35:33 PM
Time Spent: 00:00:51

Page 1

Q1

Please provide feedback for this directive

6.2 says reengagement is covered in section 6 it is actually section 7

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#16

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, November 02, 2023 8:36:51 PM
Last Modified: Thursday, November 02, 2023 8:37:31 PM
Time Spent: 00:00:39

Page 1

Q1

Please provide feedback for this directive

6.1 should perhaps read involved member shall terminate.....

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#17

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, November 10, 2023 10:13:23 AM
Last Modified: Friday, November 10, 2023 10:16:06 AM
Time Spent: 00:02:43

Page 1

Q1

Please provide feedback for this directive

This should be a first universal review since this draft is a complete rewrite and the first universal review did not have any recommended changes.

Most of this new policy rewrite has emphasis on the totality of the circumstances, for which is supervisor, or anyone in the review would determine whether the actions were in policy. The totality of circumstances should always be used; however, this policy should have some more definition as it relates to applicability of interventions. The previous policy set speeds for employing boxing and pit. These parameters were established as a general safety measure. There is no question that the higher speed a pit is performed at, the higher the risk of injury or property damage. In addition, the higher the speed, the less control a member has at impacting where the pit car lands. If it benefits the organization to increase those speed limitations, then listing speed changes would be a more appropriate change to this directive, rather than eliminating them. Another option would be to leave existing language and add language granting an exception for supervisor discretion in approving Interventions at higher speeds. Both these options would create more clarity to form the basis of what is reasonable under the totality of the circumstances.

Preplanned Pursuit Authorization:

The authorization of pursuits for preplanned missions is problematic for several reasons, some listed below:

This section leaves a significant amount of unclarity. Missions occurring within the City of Portland will overlap with other units, divisions, precincts, agencies. Authorizing certain actions not allowed for those not assigned to the mission yet operating in the same area at the same time, is not equitable and minimizes patrol officers' and sergeants' ability to do a risk benefit analysis and make strong decisions.

All patrol members receive the same practical application training in pursuits and pursuit interventions, and all members are expected to make reasonable decisions based on the totality of the circumstances. By preauthorizing pursuits, you are taking away that initial decision making for the totality of the circumstances prior to initiating a pursuit.

Members who drive patrol vehicles and work in patrol have the same consistent training and have the same legal parameters to pursue or employ interventions. Officers who consistently work in their districts or consistently work in a geographic area know it better than anyone. They know the ins and outs of geography, the make-up of the community and have the best gauge on driving response and what the risks to pursuits in that area are.

Recommended Policy Change:

Given the increase in crime in general, and the high increase in violent felony crimes the city has been dealing with, there is higher governmental interest in stopping and apprehending criminals. It is time to consider allowing members to pursue ALL felony crimes. By allowing pursuits for all felonies, members would still have the requirement to do a risk benefit analysis and an expectation to employ interventions. As with all previous policies supervisors would still need to manage pursuits with risk benefit analysis being continually done and interventions being employed. Allowing members the ability to use discretion with the ability to pursue for all felonies, it avoids inequities and confusion about certain people being able to do things others cannot. This also serves the need of the community which is the growing concern for crime and the police ability to apprehend criminals and keep the community safe.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#18

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, November 11, 2023 4:20:53 PM
Last Modified: Saturday, November 11, 2023 4:21:11 PM
Time Spent: 00:00:17

Page 1

Q1

Please provide feedback for this directive

COMMENTS ON VEHICLE PURSUIT DIRECTIVE, NOVEMBER 2023

To Chief Day, Inspector Buckley, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Portland Committee on Community Engaged Policing, Mayor/Police Commissioner Wheeler, US Dept. of Justice, Citizen Review Committee, Training Advisory Council and the Portland Police Bureau:

Below are our comments on the Vehicle Pursuit and Intervention Directive posted for review on in November (<https://www.portland.gov/police/directives-overview>). Our last comments on this were made in July, 2022, and referred to how many of the comments date back to as far as 2015. Like in 2022, some of our previous suggestions have been incorporated, but they were not necessarily made in ways that improve the policies, and are few in number.

We still think that finding the proper part of the Bureau's hundreds of policies would be easier if each major section of the Directives, such as the Definitions, Policy and Procedure sections, had a unique label so there are not multiple sections numbered "1." Our comments here refer to the Procedure section unless otherwise noted.

630.05 VEHICLE INTERVENTIONS AND PURSUITS

As noted above, few of our recommendations have been incorporated into this policy. The interventions described in this policy can be life-threatening to the person in the pursued car, and should be used in a much more limited capacity than the 87 times the Pursuit Intervention Technique (PIT) and the 114 times Box-ins were used between July 2022 and June 2023. The very serious Ramming was used just eight times in the year. However, this means one of those techniques was used on average once every 1.7 days.

--Supervisors Back on the Scene, Sort Of: In our previous comments we noted that the Bureau had not reinstated the requirement for supervisors to go on-scene to confirm a chase had been terminated. A new Section 9.1.3 says Supervisors should "respond to the area of the pursuit," which theoretically improves the likelihood of such confirmation, but should be more explicit.

--Unclear If Officers Can Ask Forgiveness Before Permission: The previous version of the Directive allowed officers to engage in a pursuit in "extraordinary circumstances" and then ask a supervisor for permission. Now supervisors can authorize extraordinary pursuits (Section 1.3), but the policy isn't explicit whether the officer may have begun the potentially improper action before asking permission.

--Danger Not As Clear: We expressed concern before about "Ramming," which involves officers slamming into a person's vehicle to disable it. Ramming was is considered one level less serious than Deadly Force. We asked, how would a civilian be charged if they deliberately hit another vehicle to try stopping it? The revised Directive does not list any specific categories of what level of force is associated with any of the intervention techniques. (Boxing in under 20 MPH used to be Category IV, PIT was Category II under 45 MPH.)

--Bad Touch: We asked before why "Boxing in" has to include contact between police vehicles and suspect vehicles, but the dangerous and restrictive suggestion to make contact is still part of the Definition.

---In fact, "static box-ins" where the suspect car isn't moving at all is not considered a use of force (4.5.1.1).

--Planned Car Chases???: The Directive acknowledges that vehicle pursuits can have negative effects on people not involved in the chase and encourages careful consideration before engaging. Why, then, would the PPB include provisions for planned vehicle pursuits (New Section 2)? It's one thing if a strategic plan anticipates that a suspect might flee and the officers might anticipate a pursuit, but the language here makes it sound as if the police are deliberately provoking car chases.

--Curious About Shooting at Moving Cars? Too Bad: There used to be a Section in this Directive stating that shooting at a moving vehicle is considered Deadly Force. PCW again suggests there should be a clear reference to Directive 1010 Section 8.5 which covers both inadvisable ideas of shooting at and shooting from moving cars.

---Put Force into Policy Section: Section 3.1 mentions how Vehicle Interventions are considered Force under Directive 1010.00. This admonition should be included in the Policy Section of this Directive 630.05.

--We Ask Again, How is this NOT Force?: The Directive explicitly states that use of spike strips are not considered force (Section 4.8), even though a vehicle coming to a sudden stop could cause serious injury.

--Some Considerations In, Others Not: The question of vehicle condition has been added back into considerations for using PIT or ramming, but it doesn't specify whether that means the officer vehicle, the suspect vehicle or both (4.61 and 4.71). We hope it is both.

---There also used to be a consideration for "communication limitations" which PCW still wants to see put back into the Directive.

--Setting a Bad Example on Hit-and-Runs: Section 1.5.4 covering what officers should do if there is an accident or collision during a chase currently does not require the offending officer to remain at the scene of a collision. That is the responsibility of any community member involved in a crash. No special rights for police!

--Require Officers to Report Crashes: An officer who uses a PIT maneuver or ramming should again be required to notify a supervisor, as they used to be, but are not in the proposed Sections 4.6 and 4.7.

--On the Edge of Our Seats: The last Section, 9.1.11, describes a supervisor's duty to confirm a debrief has occurred when they write an After Action Report. It is followed by the word "and" which... is the end of the policy! What's next? We can't wait for the sequel.

CONCLUSION

We have noticed that the PPB is now putting at least generalized comments about potential changes into the policies as they are posted, most notably letting the public know when there are not any anticipated changes. However, PCW believes that most people do not have the time or inclination to read these Directives line by line, and broad summaries of major changes should also be posted to engage more people. This likely would also help advisory bodies who may want to weigh in, even though some of them only meet once every month or two. We hope that our comments will lead to a better Bureau and a safer community.

We appreciate the opportunity as always.

--dan handelman (and other members of)

--Portland Copwatch

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name

Portland Copwatch
