

\*Please Note: This is a working draft of Directive 640.38, Interacting with Members of the LGBTQIA2S+/Queer Community. The PPB has not implemented any portion of this draft. Submit your comments using the “Provide Feedback Here” link located at the end of the directive. A redline copy of the updated directive is included in this attachment.

## **Directive 0640.38 Interacting with Members of the LGBTQIA2S+ / Queer Community**

*Second universal Review: 11/15/23-12/15/23*

### **Refer:**

- Human Resources Administrative Rule 2.02
- Human Resources Administrative Rule 2.04 Gender Identity Non-Discrimination
- DIR 0020.00, Mission, Values, and Goals
- DIR 0021.00, Human Goals
- DIR 0024.00, Community Policing Purpose
- DIR 0310.00, Professional Conduct and Courtesy
- DIR 0310.20, Discrimination, Harassment, and Retaliation Prohibited
- DIR 0344.05, Bias-Based Policing/Profiling Prohibited
- DIR 0640.80, Mandatory Bias/Prejudice Crime Reporting
- DIR 0650.00, Search, Seizures, and Inventories
- DIR 0660.10, Property and Evidence Procedures
- DIR 0850.30, Temporary Detention and Custody of Juveniles
- DIR 0870.20, Custody and Transportation of Subjects
- DIR 0870.25, Detention Areas in Police Facilities
- DIR 0870.30, Processing of Persons into MCDC

### **Definitions:**

- Cisgender: A term used to describes a person whose gender identity corresponds to their sex assigned at birth.
- Deadnaming: Using the birth name or a former name (i.e., a name that is “dead”) of a transgender person without their consent.
- Feasible: When time and safety allow for a particular action.
- Gender Expression: External presentation of one’s gender identity, usually expressed through one’s name, pronouns, behavior, clothing, haircut, or voice.
- Gender Identity: A person’s gender-related identity, appearance, expression, or behavior, regardless of whether the identity, appearance, expression, or behavior differs from the gender assigned to the person at birth.
- Gender non-conforming: A broad term referring to persons whose gender identity or gender expression does not match societal expectations that traditionally correspond to their assigned sex at birth.

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- Intersex: A term used to describe people born with chromosomes, external genitalia, and/or a reproductive system that do not conform to a binary categorization of male and female anatomy.
- LGBTQIA2S+: An acronym for Lesbian, Gay, Bisexual, Transgender, Queer and/or Questioning, Intersex, Asexual, Two-Spirit, and the countless affirmative ways in which people choose to self-identify. The acronym is increasingly being replaced with the term “Queer community” and continues to evolve over time. In some spaces, the abbreviation LGBTQIA2S+ and the term “Queer community” encompass sexual minorities such as people who identify as polyamorous, sex workers, or part of the kink community.
- Misgender: To refer to a person, especially a transgender person, using a word, such as a pronoun or form of address, that does not correctly reflect the person’s gender identity.
- Non-binary: A broad term for people with gender identities that fall somewhere outside the traditional categories of woman or man. People with non-binary gender identities may use other terms to describe their genders, such as agender, genderqueer, gender fluid, two-spirit, bi-gender, pangender, gender non-conforming, or gender-variant.
- Sex: A person’s biological or anatomical assignment as male, female, or intersex.
- Sexual Orientation: A person’s romantic and/or physical attraction to people of their sex or gender, another sex or gender, both, or neither.
- Transgender: A broad term for persons whose gender identity or gender expression does not conform to the gender associated with their assigned sex at birth.
- Transgender Man, Trans Man, or Trans Masc.: A person who was assigned female at birth but who identifies as male or masculine, regardless of surgical status or hormone use.
- Transgender Woman, Trans Woman, or Trans Femme: A person who was assigned male at birth but who identifies as female or feminine, regardless of surgical status or hormone use.
- Transition or Transitioning: The process of changing one’s gender from their sex assigned at birth to their gender identity. There are many different ways to transition. Transitioning can involve medical treatment and hormones; changing one’s social or legal name and pronouns; changing one’s appearance and dress; and coming out to friends, family, and work colleagues. It can be a long and ongoing process, or it can happen quickly. Transgender people may transition socially, legally, and medically, and some may transition only socially, and some may not do any of the above. A person does not have to transition to be transgender.

**Policy:**

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1. The Portland Police Bureau is dedicated to preserving life, maintaining human rights, and treating all people with compassion and respect. The Bureau understands the importance of both acknowledging, and respecting a person’s sexual orientation, gender identity, and gender expression.
2. Public trust and confidence in the police are essential for the Bureau to effectively serve the community and enhance public safety. The Bureau recognizes the need to earn trust in the LGBTQIA2S+ / Queer community and repair relationships.
3. This directive establishes policy and procedures to guide member interactions with members of the LGBTQIA2S+ / Queer community.

**Procedure:**

1. Discrimination Prohibited.
  - 1.1. The City and Bureau prohibit harassment or discrimination based on gender identity, gender expression, or sexual orientation.
  - 1.2. Members shall comply with Directive 0310.20, Discrimination, Harassment, and Retaliation Prohibited, and Directive 0344.05, Bias-Based Policing/Profiling Prohibited, which prohibit members from profiling, harassing, or discriminating against any individual who is a member of a legally protected class.  
#
  - 1.3. In accordance with Directive 330.00, Internal Affairs, Complaint Intake, and Processing, members shall report any discriminatory, harassing, and/or retaliatory behavior they observe or become aware of as soon as practical.
  - 1.4. Members shall not ask any person questions about their anatomy, medical history, or sexual practices unless directly relevant to a criminal investigation.
  - 1.5. Members should not make assumptions about a person’s sexual orientation or gender identity.
2. Name Usage, Forms of Address, and Gender Identity:
  - 2.1. Acknowledging a Person’s Gender Identity.
    - 2.1.1. Members may need to ask a person what their gender identity is to complete a police report, evaluate a bias crime, or for another official purpose.
    - 2.1.2. When a member needs to determine a person’s gender identity, they shall respectfully ask the person how they identify in terms of gender. For example, “I identify as female and use she/her pronouns. For this report, what should I put for your gender?”
  - 2.2. Names and Pronoun Use During Police Contact.

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- 2.2.1. To demonstrate respect and values of diversity and inclusion, and to mitigate potential escalation of subject with whom a member contacts, members should make a reasonable effort to understand the pronouns and name someone uses (i.e., Ask “What pronouns do you use?”)
    - 2.2.1.1. Members shall address people using names and pronouns expressed or requested by the person.
    - 2.2.1.2. Members shall not intentionally deadname or misgender any person after that person has made their name and/or pronouns known to the member.
    - 2.2.1.3. Note: this requirement does not preclude members from investigating whether a person is giving false information to a police officer.
  - 2.2.2. When in doubt, members should avoid pronouns and gendered terms (e.g., sir, ma’am) and instead use gender-neutral pronouns such as “they” or “them.” Members shall not use the term “it” or “he-she” or other derogatory language and act in accordance with Section 2.2.1.
  - 2.2.3. Members should be aware that peoples’ names may change over time, whether due to marriage, changes in gender identity, or other factors, and should address people by the name they currently use.
  - 2.2.4. If a member mistakenly misgenders a person or uses their deadname, they should apologize, move on, and use the person’s preferred pronouns and name going forward.
3. Bureau Forms and Records.
    - 3.1. Members shall complete paperwork using a person’s legal name and sex as stated on any legal or government-issued identification.
    - 3.2. If a person’s provided name or gender identity varies from their legal name or sex as stated on government-issued identification, members shall record the person’s provided name, gender identity, and/or pronouns under "Also Known As" (AKA) associated to the person's main “Entity.” Members may use the ”Remarks” field to flag appropriate pronouns or identity as well. For example: “Provided name Sally, transgender female, uses she/her pronouns” or “Provided name August, uses they/them.”
    - 3.3. Some government-issued identification cards (including Oregon’s) have sex identifier options such as X for non-binary, in addition to female and male options.  
X is not a recognized sex identifier under federal reporting requirements. Accordingly, for some forms the only options are female, male, and unknown. For federal reporting, the “X” sex identifier will be reported as “unknown.”
4. Search, Seizure, Arrest, and Transport.
    - 4.1. Search and Seizure.
      - 4.1.1. Members shall adhere to Directive 0650.00, Search, Seizures, and Inventories.

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- 4.1.2. If any person to be searched requests that a member of a particular gender conduct the search, the member should accommodate the request if feasible. Members who are unable to accommodate this request shall document the reason in the appropriate police report.
- 4.1.3. Members shall not frisk or search any person to determine that person’s gender identity, sex, or to view or touch the person’s genitals, or for any demeaning or harassing purpose.
- 4.1.4. Members shall not perform a more or less invasive search or frisk of a person based on that person’s gender identity.
- 4.1.5. Members shall not use gender identity, gender expression, or sexual orientation in exercising discretion to conduct a search or seizure, except as part of an actual and apparently credible description of a specific suspect, victim, or witness in any criminal investigation.

4.2. Arrest and Transport.

- 4.2.1. Members shall adhere to Directives 0870.20, Custody and Transportation of Subjects, 0870.25, Detention Areas in Police Facilities, and 0870.30, Processing of Persons into Multnomah County Detention Center (MCDC).
  - 4.2.1.1. If a member is aware that a person is transgender, the member shall verbally inform the intake deputy at MCDC.

5. Medical Treatment.

- 5.1. Members shall treat prescription hormones like any other medication necessary for a person’s health and wellbeing.
- 5.2. Members shall handle requests for medical attention by transgender persons with the same urgency and respect as requests by cisgender persons.

6. Release of Information to the Media.

- 6.1. Bureau media releases shall refer to transgender persons using their provided name and pronouns that reflect their gender identity.
- 6.2. If gender identity is unknown and/or cannot be confirmed, the Bureau will use gender-neutral pronouns such as “they” or “them.”
- 6.3. If a person is deceased and their name is in dispute, the Bureau will use the name as identified by the Office of the Medical Examiner.
- 6.4. The Bureau will not intentionally deadname transgender people in media releases, but sometimes may list multiple names for clarity, public interest, or investigatory purposes.

7. Restroom Use.

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7.1. Members shall not stop, question, or arrest transgender persons solely for using a gender-segregated or single-sex restroom, including public restrooms.

7.2. Members shall allow transgender persons to use the restroom in accordance with their gender identity or where they feel safest while in police custody.

8. Juveniles.

8.1. Members shall adhere to DIR 0850.30, Temporary Detention and Custody of Juveniles.

8.2. Members shall not disclose a juvenile’s actual or perceived gender identity, gender expression, or sexual orientation to the juvenile’s parents or guardians without the juvenile’s consent unless it directly pertains to the case.

8.3. Members should be aware that disclosing this information to parents or guardians may put the juvenile at increased risk for violence or rejection in the home.

9. Training.

9.1. The Bureau shall provide introductory and ongoing training to all members that emphasizes developing an understanding of gender identity and fosters the professional growth and continued development of members.

[Provide Feedback Here](#)

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- DIR 0640.80, Mandatory Bias/Prejudice Crime Reporting
- DIR 0650.00, Search, Seizures, and Inventories
- DIR 0660.10, Property and Evidence Procedures
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- DIR 0870.20, Custody and Transportation of Subjects
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### Definitions:

- Cisgender: ~~Alignment of one's gender identity or the sense of their gender identity with their sex~~ A term used to describe a person whose gender identity corresponds to their sex assigned at birth.
- Deadnaming: Using the birth name or a former name (i.e., a name that is “dead”) of a transgender person without their consent.
- Feasible: When time and safety allow for a particular action.
- Gender Expression: External presentation of one's gender identity, usually expressed through one's name, pronouns, behavior, clothing, haircut, or voice.
- Gender Identity: A person's gender-related identity, appearance, expression, or behavior, regardless of whether the identity, appearance, expression, or behavior differs from the gender assigned to the person at birth.
- Gender non-conforming: A broad term referring to persons whose gender identity or gender expression does not match societal expectations that traditionally correspond to their assigned sex at birth.
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continues to evolve over time. In some spaces, the abbreviation LGBTQIA2S+ and the term “Queer community” encompass sexual minorities such as people who identify as polyamorous, sex workers, or part of the kink community.

- **Misgender:** To refer to a person, especially a transgender person, using a word, such as a pronoun or form of address, that does not correctly reflect the person’s gender identity.
- **Non-binary:** A broad term for people with gender identities that fall somewhere outside the traditional categories of woman or man. People with non-binary gender identities may use other terms to describe their genders, such as agender, genderqueer, gender fluid, two-spirit, bi-gender, pangender, gender non-conforming, or gender-variant.
- **Sex:** A person’s biological or anatomical assignment as male, female, or intersex.
- **Sexual Orientation:** A person’s romantic and/or physical attraction to people of their sex or gender, another sex or gender, both, or neither.
- **Transgender:** A broad term for persons whose gender identity or gender expression does not conform to the gender associated with their assigned sex at birth.
- **Transgender Man, Trans Man, or Trans Masc.:** A person who was assigned female at birth but who identifies as male or masculine, regardless of surgical status or hormone use.
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- **Transition or Transitioning:** The process of changing one’s gender from their sex assigned at birth to their gender identity. There are many different ways to transition. Transitioning can involve medical treatment and hormones; changing one’s social or legal name and pronouns; changing one’s appearance and dress; and coming out to friends, family, and work colleagues. It can be a long and ongoing process, or it can happen quickly. Transgender people may transition socially, legally, and medically, and some may transition only socially, and some may not do any of the above. A person does not have to transition to be transgender.

**Policy:**

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3. This directive establishes policy and procedures to guide member interactions with members of the LGBTQIA2S+ / Queer community.



**Procedure:**

1. Discrimination Prohibited.

1.1. The City and Bureau prohibit harassment or discrimination based on gender identity, gender expression, or sexual orientation.

~~Members shall comply with Directive 0310.20, Discrimination, Harassment, and Retaliation Prohibited, and Directive 0344.05, Bias-Based Policing/Profiling Prohibited.~~

~~Members shall not use gender identity, gender expression, or sexual orientation in exercising discretion to conduct a search, seizure, or contact with any person, except as part of an actual and apparently credible description of a specific suspect, victim, or witness in any criminal investigation.~~

1.2. Members shall comply with Directive 0310.20, Discrimination, Harassment, and Retaliation Prohibited, and Directive 0344.05, Bias-Based Policing/Profiling Prohibited, which prohibit members from profiling, harassing, or discriminating against any individual who is a member of a legally protected class.

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1.3. In accordance with Directive 330.00, Internal Affairs, Complaint Intake, and Processing, members shall report any discriminatory, harassing, and/or retaliatory behavior they observe or become aware of as soon as practical.

~~1.2.1.4.~~ Members shall not ask any person questions about their anatomy, medical history, or sexual practices unless directly relevant to a criminal investigation.

~~1.3.1.5.~~ Members should not make assumptions about a person’s sexual orientation or gender identity.

~~1.4.1.1. Members shall comply with Directive 0310.20, Discrimination, Harassment, and Retaliation Prohibited, and Directive 0344.05, Bias-Based Policing/Profiling Prohibited.~~

2. Name Usage, Forms of Address, and Gender Identity:

2.1. Acknowledging a Person’s Gender Identity.

2.1.1. Members may need to ask a person what their gender identity is to complete a police report, evaluate a bias crime, or for another official purpose.

2.1.2. When a member needs to determine a person’s gender identity, they shall respectfully ask the person how they identify in terms of gender. For example, “I identify as female and use she/her pronouns. For this report, what should I put for your gender?”

2.2. Names and Pronoun Use During Police Contact.

2.2.1. To demonstrate respect and values of diversity and inclusion, and to mitigate potential escalation of subject with whom a member contacts, members should make a

reasonable effort to understand the pronouns and name someone uses (i.e., Ask “What pronouns do you use?”)

2.2.1.1. Members shall address people using names and pronouns expressed or requested by the person.

2.2.1.1-2.2.1.2. Members shall not intentionally deadname or misgender any person after that person has made their name and/or pronouns known to the member. ~~Members shall address people using names and pronouns expressed or requested by the person.~~

2.2.1.2-2.2.1.3. Note: this requirement does not preclude members from investigating whether a person is giving false information to a police officer.

2.2.2. When in doubt, members should avoid pronouns and gendered terms (e.g., sir, ma’am) and instead use gender-neutral pronouns such as “they” or “them.” Members shall not use the term “it” or “he-she” or other derogatory language and act in accordance with Section 2.2.1.

2.2.3. Members should be aware that peoples’ names may change over time, whether due to marriage, changes in gender identity, or other factors, and should address people by the name they currently use.

2.2.4. If a member mistakenly misgenders a person or uses their deadname, they should apologize, move on, and use the person’s preferred pronouns and name going forward.

### 3. Bureau Forms and Records.

3.1. Members shall complete paperwork using a person’s legal name and sex as stated on any legal or government-issued identification.

~~3.2. If a person’s provided name or gender identity varies from their legal name or sex as stated on government-issued identification, members shall record the person’s provided name, gender identity, and/or pronouns under "Also Known As" (AKA) associated to the person's main “Entity.” Members may use the “Remarks” field to flag appropriate pronouns or identity as well. If a person’s provided name or gender identity varies from their legal name or sex as stated on government-issued identification, members shall record the person’s provided name, gender identity, and/or pronouns under “Remarks.”~~

3.3.3.2. For example: “Provided name Sally, transgender female, uses she/her pronouns” or “Provided name August, uses they/them.”

3.4.3.3. Some government-issued identification cards (including Oregon’s) have sex identifier options such as X for non-binary, in addition to female and male options.

~~3.4.1. X is not a recognized sex identifier under federal reporting requirements. Accordingly, for some forms the only options are female, male, and unknown. For federal reporting, the “X” sex identifier will be reported as “unknown.”~~

### 4. Search, Seizure, Arrest, and Transport.

#### 4.1. Search and Seizure.

4.1.1. Members shall adhere to Directive 0650.00, Search, Seizures, and Inventories.

4.1.2. If any person to be searched requests that a member of a particular gender conduct the search, the member should accommodate the request if feasible. Members who are unable to accommodate this request should shall document their denial and rationale the reason in the appropriate police report.

4.1.3. Members shall not frisk or search any person to determine that person's gender identity, sex, or to view or touch the person's genitals, or for any demeaning or harassing purpose.

4.1.4. Members shall not perform a more or less invasive search or frisk of a person based on that person's gender identity.

4.1.5. Members shall not use gender identity, gender expression, or sexual orientation in exercising discretion to conduct a search or seizure, except as part of an actual and apparently credible description of a specific suspect, victim, or witness in any criminal investigation.

#### 4.2. Arrest and Transport.

4.2.1. Members shall adhere to Directives 0870.20, Custody and Transportation of Subjects, 0870.25, Detention Areas in Police Facilities, and 0870.30, Processing of Persons into Multnomah County Detention Center (MCDC).

4.2.1.1. If a member is aware that a person is transgender, the member shall verbally inform the intake deputy at MCDC.

#### 5. Medical Treatment.

5.1. Members shall treat prescription hormones like any other medication necessary for a person's health and wellbeing.

5.2. Members shall handle requests for medical attention by transgender persons with the same urgency and respect as requests by cisgender persons.

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6.1. Bureau media releases shall refer to transgender persons using their provided name and pronouns that reflect their gender identity.

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6.3. If a person is deceased and their name is in dispute, the Bureau will use the name as identified by the Office of the Medical Examiner.

6.4. The Bureau will not intentionally deadname transgender people in media releases, but sometimes may list multiple names for clarity, public interest, or investigatory purposes.

#### 7. Restroom Use.

- 7.1. Members shall not stop, question, or arrest transgender persons solely for using a gender-segregated or single-sex restroom, including public restrooms.
- 7.2. Members shall allow transgender persons to use the restroom in accordance with their gender identity or where they feel safest while in police custody.
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  - 8.1. Members shall adhere to DIR 0850.30, Temporary Detention and Custody of Juveniles.
  - 8.2. Members shall not disclose a juvenile's actual or perceived gender identity, gender expression, or sexual orientation to the juvenile's parents or guardians without the juvenile's consent unless it directly pertains to the case.
  - 8.3. Members should be aware that disclosing this information to parents or guardians may put the juvenile at increased risk for violence or rejection in the home.
9. Training.
  - 9.1. The Bureau shall provide introductory and ongoing training to all members that emphasizes developing an understanding of gender identity and fosters the professional growth and continued development of members.

# #1

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, April 12, 2023 12:25:41 PM  
**Last Modified:** Wednesday, April 12, 2023 12:25:49 PM  
**Time Spent:** 00:00:07

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## Q1

Please provide feedback for this directive

Test

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## Q2

**Respondent skipped this question**

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

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## #2

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Monday, April 17, 2023 9:19:00 PM  
**Last Modified:** Monday, April 17, 2023 9:20:17 PM  
**Time Spent:** 00:01:16

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### Q1

Please provide feedback for this directive

- PPB policy should require that an LGBTQIA2S+ liaison position be appointed at all times. The Queer community at many levels (individuals, nonprofit leadership, etc) has a strong distrust of PPB which will require sustained effort to correct.
  - 4.1.2 Consider expanding this to require that members document refusals and reasons for refusal when member of the public requests search by officer of specific gender.
  - Consider looking to SPD's 16.200 policy, they have some policies that Portlanders may appreciate.
  - This directive doesn't have explicit acknowledgement of LGBTQIA2S+ bureau members, and the HR admin rules leave a lot to be desired. Consider expanding this directive to create a safe work environment for members, or including clearer reminder of relevant policies.
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### Q2

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

Name **Nathan Castle**

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# #3

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, April 20, 2023 1:14:50 PM  
**Last Modified:** Thursday, April 20, 2023 1:22:42 PM  
**Time Spent:** 00:07:51

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Page 1

## Q1

Please provide feedback for this directive

I have to admit that I'm hesitant to offer feedback on this directive, as it appears that some employees in the Bureau regard any feedback that is critical of their views to be inherently discriminatory. In my opinion, that kind of reaction to opinions you don't agree with stifles honest conversations and inhibits our ability to learn from each other, so I will still endeavor to offer some feedback.

In my opinion, everything in this directive is already covered in other directives such as Professional Conduct and Courtesy, Satisfactory Performance, and Bias Based Policing/Profiling Prohibited. Having this directive serves no purpose other than to create the potential for other minority communities to wonder why they are being discriminated against by not having a directive of their own. For example, some religious communities and some ethnic communities have strong norms around behaviors such as removing shoes before or upon entering a home. Are these norms less worthy of being obeyed by virtue of not having a directive for them?

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## Q2

**Respondent skipped this question**

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

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#4

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, April 27, 2023 3:17:28 PM  
**Last Modified:** Thursday, April 27, 2023 3:18:14 PM  
**Time Spent:** 00:00:46

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## Q1

Please provide feedback for this directive

COMMENTS ON OFFICER LGBTQIA2S+, WELLNESS AND CIVIL HOLDS DIRECTIVES, APRIL 2023

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, Training Advisory Council and the Portland Police Bureau:

Portland Copwatch (PCW) is presenting these comments on the Directives covering PPB interactions with the LGBTQIA2S+ community, Officer Wellness, and civil holds posted for comment in April at . Notably, the first two were originally posted in March, but due to the changeover of the Bureau's website, no email alert was sent.

We repeat here these items:

- 1) Portland Copwatch is a group focused on police accountability and our comments should be read in that context. We hope the Bureau is contacting people from the communities directly affected by these policies for input.
- 2) The LGBTQIA2S+ Directive is possibly the Bureau's most inclusive, progressive and forward-looking and should serve as an example of how all community focused policies are developed, written and instituted.
- 3) The Bureau has, for the second time, incorporated comments from PCW into the Wellness Directive which improve the policy.

The first inclusion of the Civil Holds policy for community review gives the Bureau an opportunity to begin numbering Directives in the way PCW has been suggesting for years: assign a letter to each section (Refer, Definitions, Policy, Procedure), then number all subsections for easy reference. All comments below are about the Procedure sections unless otherwise noted.

Before getting to the comments on these policies, PCW notes that community input into the Body Worn Camera policy was truncated, and that the policy's presentation to City Council came under the veil of legal and collective bargaining negotiations, leading to a process where community voices were not seriously considered. To approach any issue this way, particularly one that will have such an impact on community members, undermines the purpose of this entire exercise. That there were at least eight other Directives posted in February and March without adequate notice\* and not re-posted only adds to the continued fracturing of the relationship between the PPB and the public.

DIRECTIVE 640.38 Interacting with Lesbian, Gay, Bisexual, Transgender and Queer/Questioning, Intersex, Asexual, Two Spirit (LGBTQIA2S+) and other Communities (previous comments July 2021)

While this Directive is fairly comprehensive, educational and can serve to protect community members, here are comments we made when it was last posted in July 2021 which have not been addressed:

Identify "Gender": There are definitions listed for "Gender Expression," "Gender Identity" and "Gender non-conforming," but not for the use of "gender," which was in an earlier version.

Equity Doesn't Mean Equal: We affirmed that the Bureau now allows a person to request an officer of a certain gender to search them as positive for all female-identifying persons and the LGBTQIA2S+ community (Section 4.1.2). However, as we wrote before, "the rampant sexism of male presenting cis-gender men in our society should be considered when offering this option broadly. While we may be stereotyping here a bit, it seems more likely cis-gender hetero males will seek female officers to search them for the wrong reasons." Even though the policy allows officers to decide whether complying with the request is "safe and feasible," we believe there should be a middle ground where officers are required to offer the options to the appropriate persons in custody.

## 0640.38 Directive Feedback (1UR)

Some People May Prefer Some Terms, Some Should Be Avoided: We previously noted that Section 2.2.2 about not referring to a person as "he/she" (or "it") might be too broad if the person in custody actually prefers those pronouns. An exception should be granted for officers in those situations. Also, we suggested adding reminders not to use the words "sir" or "ma'am" to avoid misgendering, which the PPB did not include.

Apology Addition: Section 2.2.4 asks officers to apologize for misgendering and then use correct pronouns after that. We repeat our suggestion that officers should similarly apologize for using the wrong name.

### CONCLUSION

It's very frustrating that Portland Copwatch is complimenting the Bureau on changes made based on our comments at the same time it feels as if the community has been cut out of this important process. We imagine that the advisory committees who may have wanted to comment on the Directives posted in February and March were not given any special heads up about them being available for review. In particular, the Joint Terrorism Task Force policy, which came up in March, was the subject of an annual report given to City Council and yet the Bureau did not even minimally inform the groups who testified on that topic about the policy. Also as noted above, the fact that the 900 member Portland Police Association has the ability to comment privately on these policies before they are finalized in a way that can outweigh the input from as many as 650,000 Portlanders is highly inequitable. Please fix your notification system as soon as possible. From a sheer point of view of expended energy, it is not reasonable to ask however many people were on the email list to visit the Bureau's website on an ongoing basis rather than one person sending an email to that list.

Thank you,

--dan handelman (and other members of)

--Portland Copwatch

\*-600.00-- Aircraft use, 612.00-- Radio Use, 670.00-- Trimet enforcement, 880.30--Security deposit/bail, 850.00-- Enforcement/private property, 631.60--Premises Entry, 750.00--Joint Terrorism Task Force and 850.00--Enforcement/private property.

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### Q2

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

Name

**Portland Copwatch**

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# #1

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, March 15, 2023 6:46:03 AM  
**Last Modified:** Wednesday, March 15, 2023 6:46:26 AM  
**Time Spent:** 00:00:22

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## Q1

Please provide feedback for this directive

Test

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## Q2

**Respondent skipped this question**

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

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#2

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, March 17, 2023 6:28:14 AM  
**Last Modified:** Friday, March 17, 2023 6:28:32 AM  
**Time Spent:** 00:00:17

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**Q1**

Please provide feedback for this directive

DIR 0640.38

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**Q2**

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

Name **Jo Meyertons**

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# #3

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, March 17, 2023 6:28:44 AM  
**Last Modified:** Friday, March 17, 2023 6:31:02 AM  
**Time Spent:** 00:02:17

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Page 1

## Q1

Please provide feedback for this directive

DIR 0640.38 is incredibly insulting to lesbians and gay men, who fought for basic rights for decades. We are not comparable or in any way part of a prostitute or kink "community." Please don't force-team us with "furries," transgender people or others who are not part of a population with a minority sexual orientation. We have unique needs and interests.

---

## Q2

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

Name **Jo Meyertons**

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# #4

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, March 22, 2023 10:29:42 AM  
**Last Modified:** Wednesday, March 22, 2023 10:35:23 AM  
**Time Spent:** 00:05:40

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## Q1

Please provide feedback for this directive

Consider adding a definition for “cisgender” and using that instead of “non-transgender”.

With the national climate, I wonder if it would be helpful to define drag, and explicitly expect officers to be respectful of drag and not to use it as a pretext for official action (similar to the protections for bathroom use).

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## Q2

Respondent skipped this question

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

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