

CROWD CONTROL & USE OF FORCE WORKGROUP

COMMUNITY OVERSIGHT OF PORTLAND POLICE BUREAU



Portland Protests 2020: Citizen Review Committee Summary and Recommendations

Presented by the Crowd Control and Use of Force Workgroup

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I. Executive Summary

The purpose of the Citizen Review Committee's Crowd Control and Use of Force workgroup (CCUFWG) is to critically examine the Portland Police Bureau's (PPB) use of force policies, training, and tactics in order to make recommendations based on best practices and legal standards. In response to the murder of George Floyd by police in May 2020, thousands of Portlanders took to the streets daily for months in protest of police brutality and the disproportionate impact on communities of color. During these protests, many concerning confrontations between Portland Police and the community occurred. In response, this workgroup set out to gather community input about what was happening on the ground at protests through a public forum and online surveys.

This document compiles the information we gathered and the recommendations we have generated based on thorough analysis of community feedback, discussion with PPB leadership, and review of existing policies, established best practices, and legal standards.

Our recommendations for improved policing practices to facilitate the First Amendment rights of all Portlanders cover the categories of equipment use, de-escalation, bias, and training. The recommendations summarized below are explained and elaborated upon in Section IV of this report.

- Equipment Use Recommendations:
 - Make permanent the existing ban on the use of CS gas by PPB, and extend it to other chemical weapons used for crowd management.
 - Create a plan to mitigate the risks to public health and the environment in the event of chemical weapons use.
 - Implement a more restrictive standard governing force that poses risks of indiscriminate harm to bystanders and/or individuals gathered in crowds.
 - Create clear and detailed guidance that establishes what levels of force are permissible under common circumstances that may arise in the course of crowd management.
 - Commit to transparency regarding officer decision-making in situations where force is used in crowd management, including by publicly releasing reports relevant to the use-of-force event.

- De-Escalation Recommendations:
 - Adopt "soft clothes" for protest response. Opt for ordinary patrol uniforms or clothing that does not suggest the expectation of violence or combat when attending or responding to events where violence has not occurred.
 - Facilitate movement of people and crowds at protests instead of meeting them with protest lines.
 - Prioritize clear communication. Give real-time, calm, and clear descriptions of police actions over the speaker system. Provide clear and timely information about impending police action.
 - Adopt an "out of sight" response strategy and examine the necessity of a large, visible police presence at protest events.

- Avoid “less lethal” munitions and cease use of weapons that target groups, rather than individuals, when largely peaceful crowds are present.
 - Avoid force as an escalating act.
 - Encourage and recognize officers’ empathetic acts. Casual interactions, rendering aid, and less threatening police presence (such as officers on bicycles) may put community members at ease and build trust.
- **Bias & Training Recommendations:**
 - Require comprehensive cultural diversity and anti-racism training vetted by members of vulnerable communities.
 - Increase anti-bias training hours and frequency.
 - Assess Bureau applicants and existing employees for harmful biases.
 - Provide officers with the opportunity to learn and retain necessary skills.
 - Develop de-escalation training aligned with the Newark Police Department and Madison Model frameworks to support “force as a last resort” policies.
 - Integrate robust officer wellness training throughout the Bureau.
 - Publicly report training procedures and policies currently in use by PPB and disclose proposed training procedures and policies to the public for comment before implementation.
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II. Background

A. Summary of Portland United Against Hate’s Testimonies of Police Brutality (2020)

Portland United Against Hate (PUAH) sought to learn more about the use of force by police against citizens in the City of Portland over the course of the daily protest activity that took place in response to the murder of George Floyd on May 25th, 2020. PUAH used a crowdsourced tool called “ReportHatePDX” to gather first-hand testimonials from citizens engaged in First Amendment activities over the summer of 2020.

The resulting report offered stories from Portland citizens who had experienced police violence and hate. The report showed that Portland Police engaged in aggressive crowd control measures that left many individuals with lasting injuries and trauma. The data also described police who targeted journalists, legal observers, and medics.

PUAH’s report highlighted three primary themes regarding Portland Police behavior and the effect of that behavior on citizens:

- Indiscriminate use of force by PPB
- Lasting injury and trauma on innocent civilians
- Illegal and unethical targeting of media, legal observers, and medics.

As a result of these findings, PUAH called "on city and elected officials to end the use of indiscriminate force by law enforcement against all protesters exercising their First Amendment rights." In addition, the report lists 13 demands for police accountability including ending the use of crowd control munitions, compliance with court orders regarding the use of tear gas, and ending the targeting of observers (e.g., ACLU legal observers), medics, and journalists.

The PUAH report drew upon contextual information and research from a number of valuable resources describing the historical evolution of police use of force nationwide. In addition, the context offered by PUAH speaks to the "psychology of compliance and defiance" and offers a summary of recommendations made by the Presidents' Task Force on 21st Century Policing (2014). The PUAH report serves as a focused and valuable tool for understanding the true experience of indiscriminate -- and often illegal -- police violence against citizens exercising their Constitutional rights and helped the CCUFWG frame its own research and this report.

B. Summary and Relevance of Previous CRC Reports

Since 2012, the CRC's Crowd Control Workgroup and Use of Deadly Force Workgroup (now combined under the auspices of this workgroup) have advocated for more transparency and accountability in the force and crowd control tactics used by PPB and their law enforcement partners. The CRC's workgroups have previously issued two reports on these topics: "Crowd Control and the Portland Police" (August 2014) and "A Policy Review Conducted by the Use of Deadly Force Workgroup" (October 2018).

Much has changed in the almost seven years since the release of "Crowd Control and the Portland Police," including a revised DOJ settlement in *United States v. Portland* and the formation of the Portland Committee on Community-Engaged Policing (PCCEP) in 2017. Some of the changes recommended in these workgroup reports have been implemented (largely as a result of *United States v. Portland*). However, many of the recommendations have not been realized, and many of the problems outlined have in fact become more pronounced.

For instance, the 2014 report identified a lack of consistency between the actions of Portland Police and other partnering law enforcement agencies. Federal law enforcement agencies do not participate in the same training as PPB officers, undermining the capacity for effective response in crowd control situations.

The 2014 report also called on federal and state agencies to follow PPB policies requiring the use of name badges and moving officers in military-style gear (riot gear) out of sight and away from crowds. However, while gathering feedback for this present report, the CCUFWG heard community members share personal experiences where both PPB and federal officers "on the line" in riot gear had their name badges covered, obfuscated behind equipment, or replaced with numeric identifiers -- showing that this recommendation was further away from being met in 2020 compared to 2014.

The 2014 report also called on PPB to adopt best practices from other jurisdictions to reduce

tension during protests and to use de-escalation tactics to avoid confrontation. In addition, the report recommended that police exert discipline in themselves to prevent overreaction to the presence of “anarchists” or “Black Bloc” participants. Likewise, the 2018 Use of Deadly Force Workgroup report reflected the need for PPB officers to engage in de-escalation, to minimize the use of force, and to avoid situations that would require officers to use force to ensure their own safety -- primary themes that are similar to what this present report will discuss.

C. Summary and Relevance of Compliance Officer and Community Liaison Report

On October 6, 2020, the Compliance Officer and Community Liaison (COCL) retained by the city in 2015 to independently monitor PPB’s compliance with the DOJ settlement agreement released their Quarter 3 report covering the period from July 1 to September 30. This report found a clear lack of compliance with numerous paragraphs of the settlement agreement, pertinently noting that as of August, PPB could produce only scattered and non-finalized force reports for the months of protests, and supplemental reports provided to COCL in September covered only six dates in July. COCL reported that “a significant portion of AARs [After Action Reports] at the beginning of the protests were not completed within the 72 hours required by policy. This is concerning as delays in conducting the AAR investigation carry substantial implications for officers’ ability to recall these events and for PPB’s ability to hold officers accountable for force decisions.”

Additionally, COCL identified at least one concerning case in which a use of force event (where a PPB officer struck a community member in the head with a baton) seemed to have been miscategorized when it should have been considered lethal force. While COCL concluded that “an investigation consistent with Directive 1010.10 should have resulted,” it also reported that “as of early September, PPB informed us that no uses of force during the protests had a corresponding 1010.10 investigation as required by Par. 69c [of the settlement agreement].” Taken together, these large-scale failures to appropriately report, review, and investigate uses of force against community members during 2020’s protests speak to an alarming lack of accountability, which the CCUFWG believes requires PPB’s urgent attention as a matter of public safety as well as public trust.

III. Community Feedback

A. Summary of Community Forum

On July 8th, 2020, the CCUFWG (in collaboration with Independent Police Review) hosted a virtual forum via Zoom to gather community feedback on PPB’s response to the ongoing protests. Approximately 120 people attended. Participants were divided randomly into five Zoom

breakout rooms and discussed the themes of equipment use, de-escalation, bias, and training over the course of two hours.

In each breakout room, a facilitator guided the group through the four identified topics and a note-taker recorded the discussions. (Appendices F and G provide details about the forum agenda, script, and facilitator guide.) These discussions are summarized below.

1. Equipment Use

Much of the discussion surrounding equipment use focused on officers' deployment of tear gas and other weapons.

Community members noted that officers gave inadequate, confusing, contradictory, or no warnings prior to the use of tear gas or other weapons. This practice resulted in insufficient time for demonstrators to disperse, demonstrators being required to move into clouds of tear gas in order to comply, and some individuals (such as those using wheelchairs and other mobility devices) being unable to escape before police deployed harmful equipment.

Some community members felt that police made riot declarations arbitrarily as a means to justify the use of tear gas, and that the involvement of personnel from other agencies (e.g., federal marshals) effectively circumvented legal restrictions on the use of tear gas that had been put in place to protect health and safety. Others reported that the public could not be familiar with some of the equipment and/or weapons used by police, nor know whether police employed them legally or appropriately. Community members expressed concerns that police deployed tear gas and impact weapons indiscriminately in large crowds containing only a small number of agitators, contributing to a sense that PPB officers attacked and injured citizens to protect property or to retaliate. Some community members described being targeted, suffering injury by this equipment, and being subject to the unjustified use of force as "traumatizing." A number of forum participants observed the widespread use of dangerous equipment to unacceptably impact bystanders, children, area residents, houseless individuals, and demonstrators who were engaged in legal activity.

Health implications of exposure to tear gas and "flashbangs" were discussed, including permanent damage to hearing, psychological trauma, risk of severe illness, respiratory distress, and increased transmission of disease during a pandemic.

Community members described personal experiences of the effects of tear gas, impact munitions, and other "crowd control" equipment. Noted effects included eyes swelling shut, difficulty breathing, asthma attacks, terror/fear, bleeding from injuries, burns, bruises from rubber bullets, temporary hearing loss, and symptoms persisting for days following exposure to tear gas.

Discussions included observations on the theme of militarization. Some community members felt it to be inappropriate that PPB employed military-grade equipment and military tactics against citizens. Those voicing this observation experienced military-style uniforms and vehicles as intimidating and unwelcome. Some voiced that the uniforms and riot gear worn by officers contributed to a militarized appearance that escalated hostile interactions with the crowd,

potentially put officers in a more combative mentality, and did not invite respectful engagement between PPB and citizens. Community members also opined that the practice of PPB officers covering their name tags made it very difficult to identify officers who acted egregiously, contributing to a feeling that PPB lacked professionalism and accountability.

2. *De-escalation*

Some community members felt that PPB officers did not engage in *de-escalation*; rather, their attitudes and actions escalated situations and led to faster and/or heavier uses of force against citizens. Some perceived that officers defaulted to the use of force without provocation or warning. One participant attributed these perceived pre-emptive actions to PPB having an “attitude that they need to subdue protests through violence.”

Community members expressed that PPB officers’ use of force without prior clear instructions or adequate time to disperse seemed inconsistent with a genuine desire to de-escalate. Others balked at the notion that warnings or directions constitute adequate de-escalation. “Commands are not de-escalation,” said one community member. Another individual who identified themselves as affiliated with the Portland Peace Team said that to the police, “‘de-escalation’ has meant ‘get on the fucking ground.’”

There was broad agreement with the idea that PPB officers incite violence at protests, “deliberately terrorizing” and “antagonizing the public.” Many felt that police tactics threaten public safety and put officers at risk themselves. An individual who identified themselves as a therapist trained in de-escalation said that “police match community aggression and do not de-escalate,” noting that the power differential between police and protesters means that officers have the greater responsibility to avoid displaying aggression. Others agreed, with one community member stating: “The onus is not on the public to do better so as not to be killed.”

Community members also asserted that officers used force disproportionately to the circumstances, and many saw this disproportionality as evidence of escalation by PPB. Community members discussed how officers routinely deployed tear gas and impact munitions indiscriminately and incongruously into crowds in response to localized launches of water bottles, bricks, and fireworks toward police. One person commented: “Look at the effects of their munitions and the effects of what is being directed at them -- it’s not comparable.” There was some disagreement and discussion on this point among forum participants. One individual asked, for example, what officers are supposed to do when a group is setting fires and building barricades, arguing that demonizing “less lethal” weapons like gas and munitions will leave only more lethal options.

Other points of discussion included that officers’ militarized equipment makes escalation more likely. One community member commented that “the police have gone out of their way to create violence. They dress for it, they are armed for it, they even have militarized vehicles.” Another individual commented that officers’ tactic of standing by with weapons and riot gear “just in case” leads to escalation in response to benign actions, such as a protester getting too close to the fence. Others expressed that police presence at protests (especially when defensively outfitted and armed) is itself an escalation.

Community members raised community policing as an effective methodology for discouraging adversarial responses to the protests and encouraging opportunities for successful de-escalation. Several community members noted the high proportion of PPB officers who live outside Portland, surmising that if more officers lived within the community they would more likely experience protesters as people and consequently be less likely to engage them violently. Another said that police officers would be more effective if they acted as community members rather “than an occupying army.” Another urged that the concept of “crowd control” should be replaced by “supporting those who are protesting and exercising their rights,” suggesting that such language could have a de-escalating effect.

3. *Bias*

Community members commonly voiced a perception of political and racial bias among the police. Participants raised this topic in breakout rooms even before the facilitators asked a question about bias.

PPB’s disparate responses to Black Lives Matter protests versus armed “alt-right” marches and interactions with Proud Boys emerged as the most common bias-related observation. Community members perceived that PPB officers had “jovial” interactions with armed right-wing groups and noted the closure of the Hawthorne Bridge to allow a group led by Proud Boys to march across. Community members also noted that police allowed Proud Boys to store weapons, including firearms, on the roof of a downtown building in anticipation of a clash between protesters and counter-protesters. Forum participants juxtaposed these interactions with what they described as PPB’s negative and often violent response to Black Lives Matter actions and counter-protests to right-wing actions.

Discussions repeatedly emphasized that officers seem to understand how to use de-escalation techniques when dealing with right-wing demonstrators, but not when dealing with antifascist and left-wing demonstrators. One attendee voiced that police simply do not react to the Proud Boys the way they do to Black Lives Matter. Others agreed, noting that police calmly escort armed right-wing protestors, but police treat people of color especially more violently. Community members also voiced a belief that PPB officers unevenly apply concepts like “riot” or “totality of the circumstances” to actions by different groups, using this language to justify stopping or using tear gas on Black Lives Matter protests when the same standards have not been invoked to disperse or attack Proud Boys. One individual brought up the 2019 attack at Cider Riot by Proud Boys/Patriot Prayer as an example of biased *inaction* by PPB, claiming that officers’ failure to respond to the destruction of a business in broad daylight showed that “protecting property” was a disingenuous justification for violence against protesters this summer.

Community members voiced other examples of perceived bias by PPB officers, including a lack of effective response to cars aggressively driving through crowds at Black Lives Matter protests and officers’ targeting of specific journalists. An attendee who identified herself as a white woman commented that at protests, officers “walk right by me and throw down people of color,” and that they target “especially the black leaders that are leading the group.”

Beyond the 2020 protests, community members relayed complaints of bias in policing against people of color, specifically Black and Indigenous communities, in general.

4. Training

Three broad themes emerged related to training: lack of training in proportional response, reliance on training in tactics that escalate, and the need for “people skills” training.

In terms of proportional response, community members described PPB officers as undiscerning in their use of force, munitions, and commands. For example, many individuals described indiscriminate or unprovoked firing of tear gas. Another example recounted police spraying a crowd with “pepper balls” in response to agitation from a specific individual or small group.

Relatedly, many individuals suggested that police need de-escalation training, noting that police did not appear to take steps to de-escalate tensions at protests. Community members frequently described police tactics such as bull-rushing, kettling, and use of weapons as explicitly “escalating.” Many speculated that police behaved this way on purpose, reflecting either a bias against the protesters or an effort to elicit a response from members of the crowd that would provide a justification for use of force.

Finally, many community members commented that they felt officers’ training contributed to militarization, while they lacked training in community policing. Community members called for specific training related to treating others as humans with dignity, citing the need for “culture change” and “revision of how policing is done.” There was a strong sentiment that weapons-related training had been overemphasized, with one attendee commenting: “You’re not trained to treat people like people when you’re given AR-15s.” Additionally, many voiced the belief that officers lack effective training on institutionalized racism, implicit bias, racial bias specifically, and the effects of their own actions in this context.

B. Summary of Surveys

The CCUFWG also sought citizen perspectives regarding PPB’s protest response via two surveys (ending July 8th and September 14th, respectively). Both surveys invited citizens who had experienced police activity to share their thoughts and observations about PPB tactics and behaviors. The second survey contained more questions specific to respondents’ actual involvement and observations, but this survey was also complicated by an influx of responses after the deadline which dramatically differed overall from the responses submitted by the original deadline. Summaries of the data obtained by the first and second surveys appear below, with more detailed data available in Appendices C and E.

1. Survey #1

The first survey revealed that 43 percent of respondents experienced dissatisfaction with PPB

tactics used against peaceful protesters. Overall, survey respondents indicated a desire for the following changes:

- a greater emphasis on de-escalation techniques
- demilitarization of police gear
- ending the use of batons, CS gas, pepper bombs/spray, flash bangs, rubber bullets
- eliminating the use of LRAD against peaceful protesters who follow directions

Some of this group asked for clarification about:

- who can declare an unlawful assembly/riot,
- how police define an unlawful assembly/riot, and
- how police inform citizens of the declaration

Additionally, those surveyed indicated expectations for police to protect protesters from traffic, give clearer directions, and refrain from kettling protesters as a means to use gas on them.

43 percent of respondents perceived a bias on the part of police toward one or more groups, and 44 percent found deficiencies in de-escalation and anti-bias training while calling for more dialogue between police and protesters.

In addition, the survey revealed a belief among many respondents that the police union prevents any significant change and oversight. Respondents suggested disbanding the union or merging it with another public service union.

Conversely, 53 percent of respondents indicated support for PPB and a belief that City Council hampers PPB. A smaller, but not insignificant, number supported continued use of protective/militarized gear for PPB and continued use of CS gas, pepper bombs/spray, sound trucks, and LRAD. A small number mentioned they would like to see water cannons used.

In addition, some indicated they would like the police to more aggressively use preemptive tactics, disperse crowds more quickly, and interact sooner. This group of respondents also supported the City Council restoring funding to PPB.

Both groups of respondents, those dissatisfied with PPB and those satisfied with PPB, supported identifying and separating groups more effectively than has been accomplished in the past.

2. Survey #2

About two months after conducting the first survey and community forum, the CCUFWG decided to conduct a second survey to collect additional information as protest participation and PPB response were still ongoing. (Please refer to Appendix B and Appendix D to compare question structure and phrasing between the two surveys.) The same themes from the first survey persisted in the results of the second survey.

However, there was a disruption in our data collection that made the information from this

survey harder to process. The deadline to complete the survey was publicly stated as September 14th at 5pm, but we neglected to set the survey to automatically close when that time came, and as a result, people were able to submit responses after the deadline had passed.

Prior to the 5pm deadline, Commissioner Jo Ann Hardesty posted on Twitter to encourage her followers to submit their feedback, as shown in the image below:



By the end of September 14th, we had received 223 survey responses.

The next morning on September 15th, Andy Ngo also encouraged his followers to submit their feedback, as shown in the image below:



Following Mr. Ngo’s tweet, we received an overwhelming influx of survey responses, bringing the total number of responses to 1,324. This left the CCUFWG in the tough position of deciding whether to consider the survey responses that were submitted after the deadline. It was also notable that many of the post-deadline responses contained answers of a facetious nature, making it difficult to analyze the data as a whole. The CCUFWG decided the best approach was to separate the data into two different categories — pre-deadline responses and post-deadline responses — so that this context could help readers interpret the information.

IV. Findings & Recommendations

This section summarizes the findings and recommendations for the four topics studied. Equipment Use and De-escalation are presented separately, while Bias and Training are combined together due to substantial overlap of information.

A. Equipment Use Findings

Community members participating in the forum and responding to the surveys commented on PPB’s use of tear gas and impact munitions most frequently, but also described flash bangs, “pepper balls,” the LRAD (both as a communication device and as a sonic weapon), and batons. Three major themes around equipment use emerged from the forum and the surveys: lack of precision, indiscriminate use, and lack of proportionality.

1. Lack of precision

Community members commenting on the use of tear gas, impact munitions, and the LRAD by PPB officers described this equipment being used with a lack of precision. Commonly offered examples included:

- Equipment-based uses of force that affected individuals who had not committed the act(s) that force was used in response to (e.g., an impact munition hitting the wrong person);
- Munitions striking people in the head when PPB directives indicate they are supposed to be aimed below the waist (*Directive 1010.00: 6.4.2.1.5, 6.4.2.2.1*);
- Orders via the LRAD that did not make sense or were contradictory (e.g., directions to disperse to the west while PPB officers were advancing toward the crowd from the west, or a dispersal order that required individuals to move into clouds of tear gas as the only exit path from the area).

In addition, a presentation from Assistant Chief Resch to the CCUFWG on September 16, 2020 included discussion of equipment used by PPB that appears to be imprecise by design. Specifically regarding “triple chaser canisters,” which can be filled with CS gas or OC gas, Resch stated that the munitions’ components usually spread out to about 20 feet from where they

are targeted before releasing their gas, making this equipment seemingly incapable of being used with accuracy or precision by officers.

2. Indiscriminate use

Community members often described the use of equipment (especially tear gas and impact munitions) as indiscriminate. Common examples included:

- Equipment-based uses of force that affected groups or crowds, when few individual actors (if any) were engaged in conduct that might foreseeably prompt a lawful use of force;
- Random deployment, or deployment without provocation;
- Munitions that struck bystanders or passive observers;
- Tear gas and the LRAD (in its capacity as a sonic weapon) affecting bystanders and area residents, including houseless individuals.

3. Lack of proportionality

Community members described scenarios where they felt equipment was used when force was unwarranted under the totality of the circumstances. Examples included:

- PPB officers deploying tear gas and/or rubber bullets in response to a thrown water bottle, fence-shaking, or yelling;
- PPB officers deploying tear gas and/or rubber bullets in response to protesters refusing to disperse;
- PPB officers' use of batons on individuals who were on the ground;
- The use of "officer safety" as a justification for uses of force that caused severe injuries to citizens when officers' heavy riot gear provided protection sufficient to obviate the need for force in that moment.

Community members also noted the intimidating visual effect of officers' riot gear and other equipment, giving them what many described as a military-like appearance at protests.

Contrary to the many comments denouncing the use of tear gas as indiscriminate or excessive, some survey participants expressed support for what they perceived as PPB officers' restraint in the use of tear gas. While these viewpoints reveal disagreement about whether the level of tear gas utilized by PPB qualifies as excessive, both types of responses suggest approval of limited utilization in general.

B. Equipment Use Recommendations

In consideration of these findings, the CCUFWG recommends:

- That the Mayor should make permanent his September 10, 2020 ban on the use of CS gas by PPB and extend the prohibition to other chemical weapons, including equipment containing the known harmful compounds CN, CR, and OC for crowd management and control.
- That, in accordance with the recommendation of the Chemical Weapons Research Consortium, other (unlisted or novel) chemicals be presumptively banned from use in weapons or other equipment (e.g., “restraints” or “distraction” devices) by PPB unless and until the chemical passes FDA review for agricultural use and undergoes additional safety review specific to use against humans.
- That if PPB deploys any chemicals either known or presumed to be harmful as weapons, “restraint,” or “distraction” devices, PPB shall:
 - cooperate with environmental and public health agencies to facilitate proper clean-up and mitigation of hazardous impacts, and
 - make pertinent health and safety information available to the public by releasing:
 - reports related to the use-of-force event, including lists of chemical equipment items used,
 - documentation of inspections carried out prior to use of the equipment or product (showing, e.g., manufacturer, lot number, and expiration date), and
 - relevant material safety data sheets for the chemical(s) deployed.
- That PPB implement more restrictive standards governing equipment-based uses of force that pose risks of indiscriminate harm to bystanders and/or individuals gathered in crowds, such as firing munitions into groups of people or utilizing the LRAD in harmful sonic ranges.
 - PPB Directive 0635.10 provides in its Policy specification (5) that “Member response should be commensurate to overall crowd behavior, and members should differentiate between groups or individuals who are engaging in criminal behavior or otherwise posing a threat to the safety of others and those in the crowd who are lawfully demonstrating,” yet our findings suggest this directive is insufficient. We suggest the following amendments to Directive language:
 - Directive 1010.00: 6.4.6.1.2 currently limits the use of riot control agents and area impact munitions (for the purposes specified in its subsection) to circumstances where “other more discriminate methods are not feasible or reasonable, and uninvolved parties are unlikely to be subjected to the use of force.” (Directive 1010.00: 6.4.6.1.4 contains substantially similar language.) This limiting language should be added to Directive 1010.00: 6.4.6.1.3, and the language in Directive 1010.00: 6.4.6.1.4 should be conformed for clarity and consistency.
 - In Directives 1010.00: 6.4.6.1.2, 6.4.6.1.3, and 6.4.6.1.4, “uninvolved parties” should be amended to read: “parties who are not personally taking actions that constitute a clear and present danger to public safety” to clarify that merely being present as part of a group that is designated as a

- civil disturbance or riot, or failing to disperse from such a group, should not be sufficient to subject an individual to uses of force.
- Directive 1010.00: 6.4.6.1.1 should be stricken, and a section should be added under Directive 1010.00: 6.4.6.2 specifying that mere designation as a civil disturbance or riot is not sufficient grounds to authorize a Crowd Management Incident Commander to direct the use of riot control agents and area impact munitions against a crowd.
 - Directive 0635.10: 9.2 should be amended to clarify that there must be a clear and present danger of violence or injury in order for the use of force to be authorized under this section; this avoids the implication that refusal to disperse is in itself grounds for subjecting individuals to riot control agents or special impact munitions.
 - Directive 0635.10: 10.2 already provides that “Members shall not deploy specialty impact munitions or aerosol restraints indiscriminately into a crowd.” This Directive should be amended with the addition: “nor shall they deploy these into a crowd when there is a significant chance that parties who are not personally taking actions that constitute a clear and present danger to public safety will be subjected to the use of force.”
 - A prohibition on the use of the LRAD at decibels exceeding 130 dB SPL should be added to Directive 0635.10: 10 to designate this as a prohibited crowd control practice.
- That PPB create clear and detailed guidance, in the form of updated directives and accompanying standardized training, that establishes what equipment-based uses of force are to be considered reasonable and unreasonable under a variety of crowd management circumstances in order to meet Directive 0635.10’s Policy specification (5) that “member response should be commensurate to overall crowd behavior.”
 - Directive 1010.00: 6.4.6.1.1 currently authorizes a Crowd Management Incident Commander to direct the use of riot control agents and area impact munitions to disperse a civil disturbance (see similar provisions at Directives 0635.10: 6.2.2 and 9.2), but our findings indicate community members may frequently feel that the decision to deploy such equipment is not adequately justified by the totality of the circumstances. Several of the Directive changes proposed above to combat the indiscriminate use of equipment-based force would also contribute to standardizing a more proportional level of response to individual actions in crowd management situations, such as by clarifying that a response that risks subjecting many people in a crowd to the use of force when they are not personally taking safety-endangering actions is not appropriate or permissible.
 - Directive 0635.10: 6.1.2 provides that Incident Commanders shall “Determine the mission and objectives [of police response to a demonstration] and consider what crowd tactics are objectively reasonable under the totality of the circumstances.” Detailed specifications regarding commonly observed or foreseeable behaviors during crowd management and concomitant examples of responsive officer tactics that are and are not objectively reasonable under such circumstances would be a natural addition to this Directive section to aid Incident Commanders in conducting this assessment. Although situations are dynamic and some amount of

individual judgment will always be required, clear policy and training with specific illustrative examples and reference points could help prevent unnecessary and unwarranted escalations of force by PPB.

- That PPB commit to transparency and accountability when force has been used in a crowd management/protest scenario, including use of force involving chemical weapons, munitions, and other equipment.
 - PPB Directive 1010.00: Sections 10, 11, 12, and 13 govern the reporting and investigation of use-of-force events, and Directive 0635.10: Section 13 outlines additional reporting and debriefing procedures specific to the crowd management context. According to these Directives, information must be collected and reported including the “unique characteristics of the event,” “the decision-making at each significant point leading up to and during the event,” “the force used, to include descriptive information regarding the use of any weapon,” “the specific circumstances that led to the discharge of the weapon,” “what, if any, de-escalation techniques were used,” and other facts as specified. (Directives 1010.00: 11.1.9.2, 11.1.9.4, 11.1.9.5, 11.2.1.1, 11.1.9.8.) The availability of such information to the public would greatly increase public understanding of officer decision-making around specific use-of-force events that may have been experienced or observed by community members, as well as enhance public confidence in accountability by providing the means to substantiate broad assurances that officers’ protest-related force must follow the same requirements of objective reasonability and articulable justification as other use-of-force events.
 - To enhance transparency, we recommend that after any use of force in a crowd management/crowd control setting falling in Categories I, II, or III, all relevant reports and documents including officers’ Use of Force reports, Force Data Collection Reports, supervisory Force After Action Reports, and any other documentation related to that use of force be released publicly and promptly (on a rolling basis) via the online Use of Force Dashboard maintained by PPB.
 - At a minimum, these reports and associated documentation must be actually completed and reviewed (as required by PPB Directives), as well as made available to the Compliance Officer/Community Liaison team (COCL) to assess compliance with the DOJ Settlement Agreement (paragraphs 66-70, 73-75, 77).
 - That PPB officers be required to have their last name clearly identified on their uniform, consistent with proposed bill LC 743 (2021 regular session; 7/22/20 -- “A peace officer who is performing official crowd control duties shall prominently display on both the front and back of the peace officer’s uniform, in lettering legible to a person with average vision in all weather and light conditions from a distance of at least 25 feet, the peace officer’s last name, badge number or other identifying number and either the word ‘police’ or the words ‘law enforcement.’”)
 - That any (non-undercover) officer whose name is not clearly identified on their uniform during crowd control engagement be placed on administrative duty by the Police

Commissioner for 24 hours following each violation to reflect the importance of community members' access to redress should complaints of misconduct arise.

C. De-escalation Findings

Many community members indicated a strong desire for PPB to employ de-escalation tactics in lieu of force and that they did not observe PPB to use de-escalation tactics. However, some community members mentioned a few instances where they felt police successfully reduced tensions.

Responses regarding de-escalation included themes of miscommunication, deliberate acts of escalation, and specific acts of de-escalation.

Some responses suggested establishing communication with protest leadership or having police remain at a distance in a non-engaged posture. Others recommended having discrete, targeted removals of agitated individuals, rather than responding to the crowd as a whole. These responses often included statements calling for empathy and humanity from officers, rather than uses of force.

1. Miscommunication

Many community members felt that some forms of communications from PPB served to escalate tensions. For instance, police disingenuousness fueled demonstrator frustrations. In other situations, lack of clear communication or clear expectations of orders led to confusion and further escalated tensions. Other commonly expressed frustrations or hopes included:

- Desire for clear and defined rules of engagement with protesters
- Desire for clear warnings before uses of force
- Desire for meaningful opportunities to obey orders
- Frustration with conflicting orders

2. Escalating acts

When asked about de-escalation, some respondents also described Portland Police engaging in escalating acts. Some common responses or descriptions involved:

- Charging or rushing at those who are attempting to leave
- Military appearance as a form of communication, or signaling the expectation of violence
- Random uses of force
- Seizing community members' property
- Riot declarations
- Kettling

3. De-escalating acts

Respondents also offered some descriptions of de-escalating acts. Community members described these de-escalating acts as having a calming effect, or reducing tensions in a crowd. Examples included:

- PPB's decisions to withdraw from a protest space
- PPB's decisions to stay away from a protest space
- Officers' assistance in removing agitators from a protest crowd
- Bicycle officers not in riot gear, not holding a protest line
- Officers helping individuals locate lost items

D. De-Escalation Recommendations

The CCUFWG believes that broad adoption of de-escalation tactics will lead to less violence than we saw in 2020. Based on the research reviewed (especially that of the National Police Foundation) and community input findings, the CCUFWG recommends:

- Adoption of “soft clothes”
 - Portland Police should opt for ordinary patrol uniforms or clothing that does not seek to communicate a preparedness for violence before violence has taken place.
- Facilitating movement (PPB Directive 0635.10.4.2.2)
 - Protests, including unplanned protests, are dynamic and can include individuals marching or moving from one location to another. Sometimes this is deliberate to reach a destination, and sometimes it is in response to an order to disperse. Portland Police should facilitate the movement of people instead of meeting them with protest lines.
 - Additionally, PPB should refrain from kettling and revisit policies around these practices in accordance with IPR's May 2018 report and recommendations (See: [POLICY REVIEW: Portland Police Bureau can improve its approach to crowd control during street protests](#), p. 9 and pp. 14-15).
- Clear communication (PPB Directive 0635.10.3.2, 5.3.1.1)
 - In accordance with the Berlin Model, the CCUFWG recommends that Portland Police give real-time (as opposed to pre-recorded), calm, and clear descriptions of their actions over the speaker system prior to those actions being taken.
- Adoption of an “out of sight” strategy
 - To the extent practicable, the necessity of a large presence of police officers at a protest should be examined in terms of its capacity to escalate tensions.
- Avoiding “less lethal” munitions (PPB Directive 1020.5.3)
 - Gas and impact munition use was frequently described as lacking precision. Because the design and use of these munitions is to attack a group of people, their

use has often meant that individuals who were merely present, not engaging in property destruction or violence, were harmed. The broad impact of these munitions was described by community members as a deliberate attempt to escalate tensions and to cause harm. PPB should examine and change its directives to cease use of weapons that target groups rather than individuals.

- Avoiding force as an escalating act (PPB Directive 635.10.5.3.2)
 - PPB Directives should instruct officers to avoid broad uses of force against a crowd that are likely to escalate tension. Even when use of force is permissible against individuals, or otherwise within general use of force policy, officers should refrain from using force (e.g. tear gas, “bull rushing”) that heightens, agitates, or exacerbates existing tensions with the crowd such that it creates additional risks to the safety of officers and community members.
- Promoting and rewarding empathetic acts
 - The CCUFWG’s community forum was an opportunity to hear on-the-ground voices describe what they were seeing and experiencing. The vast majority of voices expressed complaints about police actions. However, there were instances that stuck with some protesters as actions that made them feel as though good faith was possible. These are small actions, but they are the acts of good faith that could improve police-community relations.

E. Bias & Training Findings

There were four categories of perceived bias commonly described by community members. Three of these themes could be found across the forum and the surveys, while the last theme was only prominent in the survey responses. Those themes were: bias against racial justice protesters; bias in favor of right-wing groups; bias against race, ability, or press; and bias in favor of racial justice protesters or no bias.

1. Bias against racial justice protesters

The major bias theme from the forum and the surveys centered on perceptions that Portland Police had a bias against racial justice protesters. Many commented that, because police were in part the subjects of the racial justice protests, they responded more harshly than they would have to other groups. Many felt that the direct conflict of PPB policing protests against themselves created tensions and drove police to act more harshly on biases.

2. Bias in favor of right-wing groups

Some community members asserted that Portland Police gives favorable treatment to right-wing groups. Individuals cited incidents where they observed Proud Boys and Patriot Prayer demonstrators having friendly, peaceful interactions with Portland Police. Specifically,

individuals discussed PPB's willingness to allow Proud Boys to march uninterrupted, or a lack of action by police when racial justice protesters were attacked by right-wing counter-protesters. There were also descriptions of PPB's lack of intervention when protests and counter-protests escalated to violence. Individuals also cited the widely reported texts and coordination between Lt. Niiya and Patriot Prayer. Individuals contrasted these examples with the lack of communication occurring between PPB and racial justice protesters.

3. Bias against race, ability, and press

Some community members described Portland Police as targeting Black protesters and other protesters of color at higher rates than others participating in the protests. There were also descriptions of ableism such as protesters in wheelchairs or with otherwise limited mobility being arrested due to their inability to comply with PPB commands. Some witnessed members of the press being targeted with specific acts of force despite not participating directly in the protests.

4. Bias in favor of racial justice protesters or no bias

Some survey responses indicated that PPB had a bias in favor of racial justice protesters. Survey respondents frequently referred to those participating in the racial justice protests as "ANTIFA," "BLM," or "communists." These responses most commonly described PPB as giving protesters too much leeway, or allowing property damage and violence to occur for political reasons. A smaller subset of survey respondents described PPB as demonstrating professionalism and neutrality in the face of anti-police demonstrations.

F. Bias & Training Recommendations

The CCUFWG recommends the following:

- Enhanced anti-bias education to include, as stated in the Albina Ministerial Alliance Coalition for Justice and Police Reform's List of Community Demands (2010),
 - *"*5.1 All officers in the Portland Police Bureau will receive intensive and comprehensive cultural diversity and unlearning racism training approved by members of communities vulnerable to police abuse. This will include training officers to engage in respectful conduct towards communities of color, ethnic minorities, the poor, and sexual minorities. This training will happen prior to graduation from police academy and followed by two weeks annually of advanced cultural diversity training. (KJ T 6, JJP R 2, AC 8, AMA #3)"*
 - These community advisors must be paid for their labor by PPB.
- Release of information to the public detailing all current anti-bias training practices.

- This release should include curriculum, methodology, frequency, and types of training.
- PPB should also disclose any assessment procedures already in place which gauge officer compliance with and understanding of anti-bias training.
- Assessment of Bureau applicants as well as existing members of PPB for harmful biases, especially those held against communities or individuals of color, ethnic minorities, the poor, or sexual and gender minorities.
 - This bias assessment procedure should go beyond what is already available through the Employee Information System. It is essential that PPB have a clear, consistent, zero-tolerance policy to detect and address harmful biases held by members of the force.
 - The public -- or a public entity -- should have access to this process to ensure accountability and to build public trust.
- Mandatory provision of anti-bias and cultural competency training for at least 1 out of every 5 hours of mandatory training, or 20 percent.
- Opportunities for officers to learn and retain necessary skills.
- De-escalation training, including:
 - That PPB review the Newark, New Jersey Police Department's de-escalation procedures, with special consideration to "Duty to Intervene," as well as to their policy of placing stronger limits on the use of force as a tactic of de-escalation. (*See: Newark Police Division General Order (2018): [NEWARK POLICE DIVISION GENERAL ORDER](#)*)
 - That PPB research and expand upon the Madison Method of policing. The Madison Method offers a framework which, if adapted to current needs and integrated with enhanced anti-bias education, could serve as a model to create better relationships between police and community members who engage in protest.
 - That any protest management tactic must be applied universally, showing neither bias nor appearance of bias in application.
 - The CCUFWG is aware that some protest groups have been hesitant to communicate with police. If communication cannot be achieved, other de-escalation tactics should be used. Police should not favor, or appear to favor, any groups who decide to communicate with PPB.
- Robust officer wellness training.

- The CCUFWG is aware that officer wellness training programs are currently being explored, and we encourage PPB to continue this wellness-focused approach. Both PCCEP and Training Advisory Council (TAC) have also called for such programs.
- In addition, we believe it is essential to integrate this wellness program throughout the Bureau in order to combat any stigma that may exist concerning stress-management or wellness.
- Public reporting of training procedures.
 - PPB should release detailed reports of all training procedures to the public, so that community members may make more specific recommendations regarding training and policy. The Annual Training and Needs Assessments and Inservice Training Assessments do not provide adequate information to inform the public of specific PPB training procedures.
 - A comprehensive report detailing training procedures and policies currently in use by PPB should be made available to the public.
 - Proposed training procedures and policies should be disclosed to the public for comment well before they are implemented.
 - If requested reports cannot be provided, the CCUFWG requests access to the training data contained in the Electronic Learning Management System (which has been provided to COCL in the past) for analysis in order to make more specific training recommendations in the future.

Appendices

Appendix A: Acronyms

CS (Gas)	2-chlorobenzalmalononitrile
CN (Gas)	Chloroacetophenone
CR (Gas)	Dibenzoxazepine
CCUFWG	Crowd Control & Use of Force Workgroup
COCL	Compliance Officer/Community Liaison
CRC	Citizen Review Committee
dB SPL	Decibel Sound Pressure Level
ESIM	Elaborated Social Identity Model
IPR	Independent Police Review
LRAD	Long Range Acoustic Device
OC (Gas or Spray)	Oleoresin Capsicum

PCCEP PPB PUAH TAC	Portland Committee on Community-Engaged Policing Portland Police Bureau Portland United Against Hate Training Advisory Council
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Appendix B: Community Dialogue on Police Crowd Control Practices - Post Event Survey Questions (Event Date: 7/8/21)

The Crowd Control & Use of Force Work Group Wants to Hear Your Feedback

The Citizen Review Committee (CRC) was created in 2001 to help improve police accountability, promote higher standards of police services, and increase public confidence. The Crowd Control and Use of Force Workgroup of the CRC examines existing crowd control policies, training, and tactics of the Portland Police Bureau, reviews crowd control best practices, legal standards and other information, and makes appropriate recommendations.

As part of our review of how the Portland Police Bureau (PPB) has responded to protests in recent weeks, we would like to gather feedback directly from the community. If you experienced or witnessed the exercise of crowd control tactics by the PPB at any event in the last three years, we invite you to share your thoughts and observations at our community forum. In small group dialogues via Zoom breakout rooms, we will be discussing four specific topics related to crowd control: equipment use, de-escalation tactics, bias towards particular groups of protestors, and recommendations for PPB training.

Please RSVP via our Facebook event here:

<https://www.facebook.com/events/>

Advanced RSVP is not required – it will help allocate time for discussion, but we will do our best to accommodate everyone who shows up and would like to address the forum. We are also providing this written survey that can be filled out for those who have information to share but do not wish to speak publicly, and you can fill it out ahead of time here.

For more information, please email us at crc@portlandoregon.gov or visit our website at [Citizen Review Committee | The City of Portland, Oregon](#)

1. Have you experienced or witnessed crowd control tactics by the Portland Police Bureau in the last two years?
 - Yes
 - No
2. If the answer to the above question is YES, please describe the experience to your best ability and comfort.

3. On a scale of 1 to 10, how would you rate the Portland Police Bureau's crowd control tactics during your experience?

(Not appropriate at all) 1 - 10 (Highly appropriate)

4. What suggestions would you provide to improve Portland Police Bureau's crowd control tactics?

5. What tactics would you suggest the Portland Police Bureau keep in place?

6. Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau should continue to use military style clothing and equipment to aid in crowd control.**]

- Strongly Agree
- Agree
- Neither Agree Nor Disagree
- Disagree
- Strongly Disagree

7. Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau is not biased towards one or more groups practicing protests or public gatherings.**]

- Strongly Agree
- Agree
- Neither Agree Nor Disagree
- Disagree
- Strongly Disagree

8. Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau is adequately trained when it comes to crowd control.**]

- Strongly Agree
- Agree
- Neither Agree Nor Disagree
- Disagree
- Strongly Disagree

9. Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau is adequately trained when it comes to de-escalating situations in protests or public gatherings.**]

- Strongly Agree
- Agree

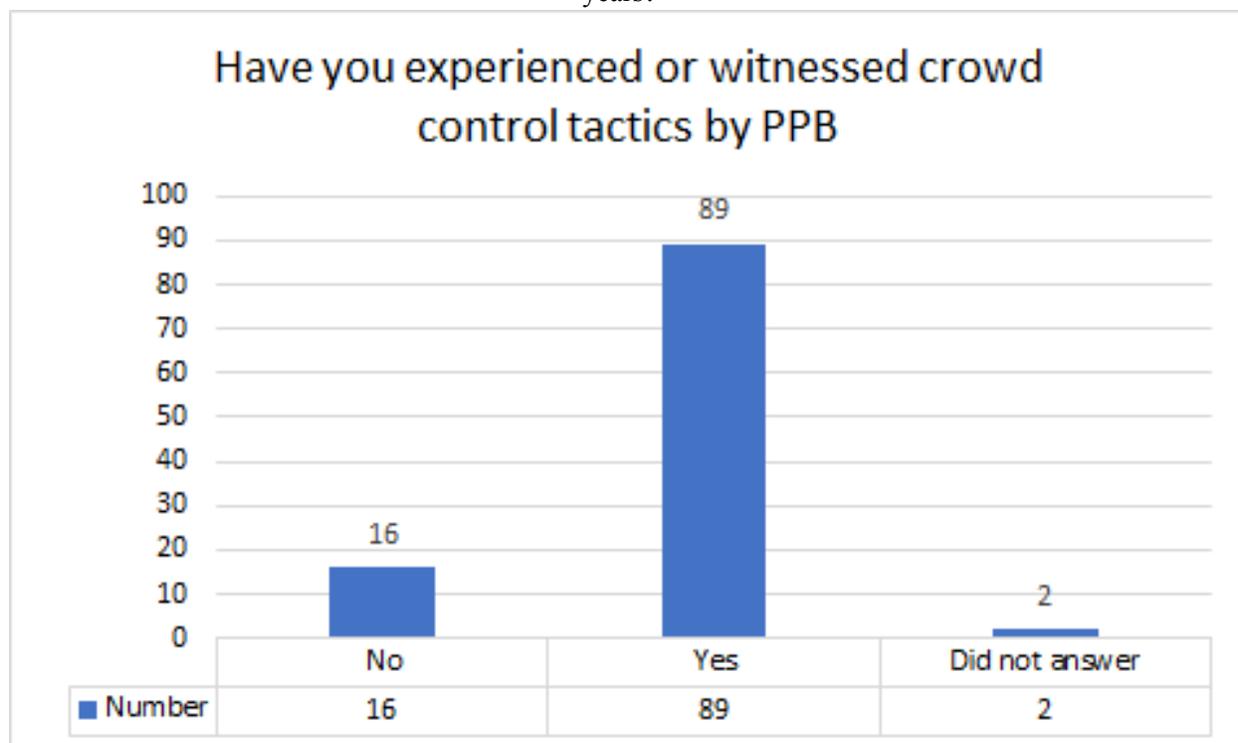
- Neither Agree Nor Disagree
- Disagree
- Strongly Disagree

10. Please provide any additional comments about the above statements:

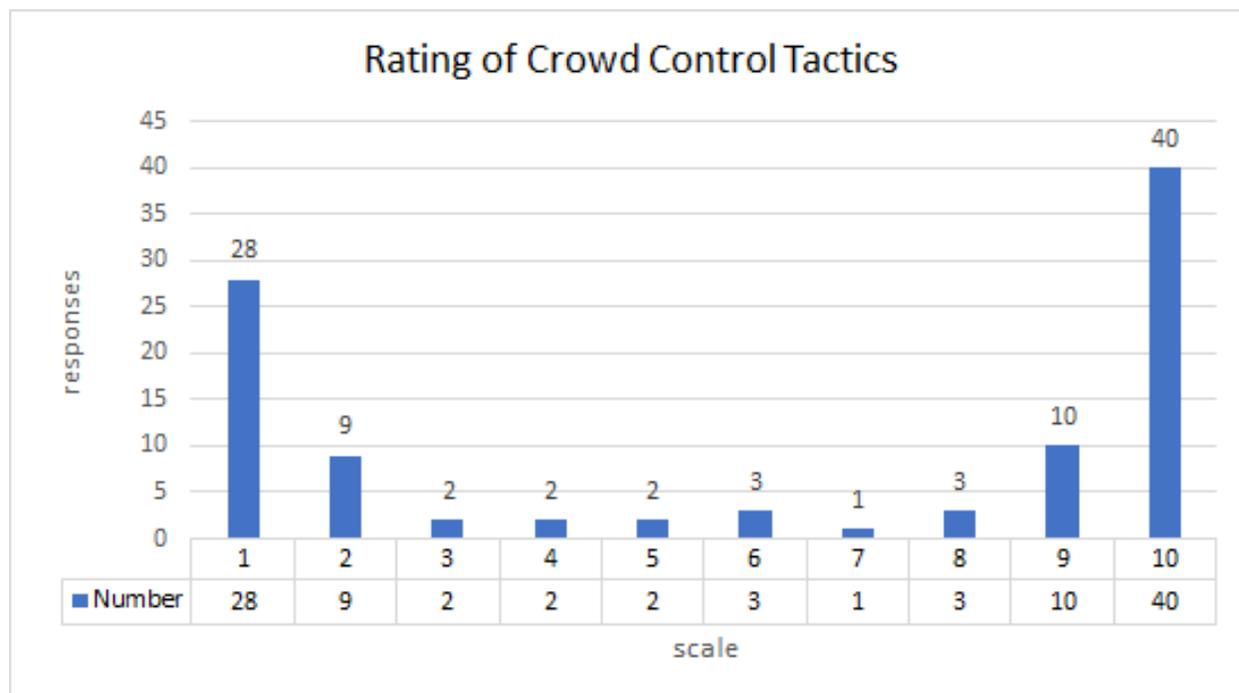
11. Please share any demographic information or affiliations **(THIS IS OPTIONAL)** [You can include things like your age, your gender, your race/ethnicity, any local community affiliations, and any other information you believe is helpful to provide context to your experiences.]

Appendix C: Community Dialogue on Police Crowd Control Practices - Post Event Survey Quantitative Data (Event Date: 7/8/21)

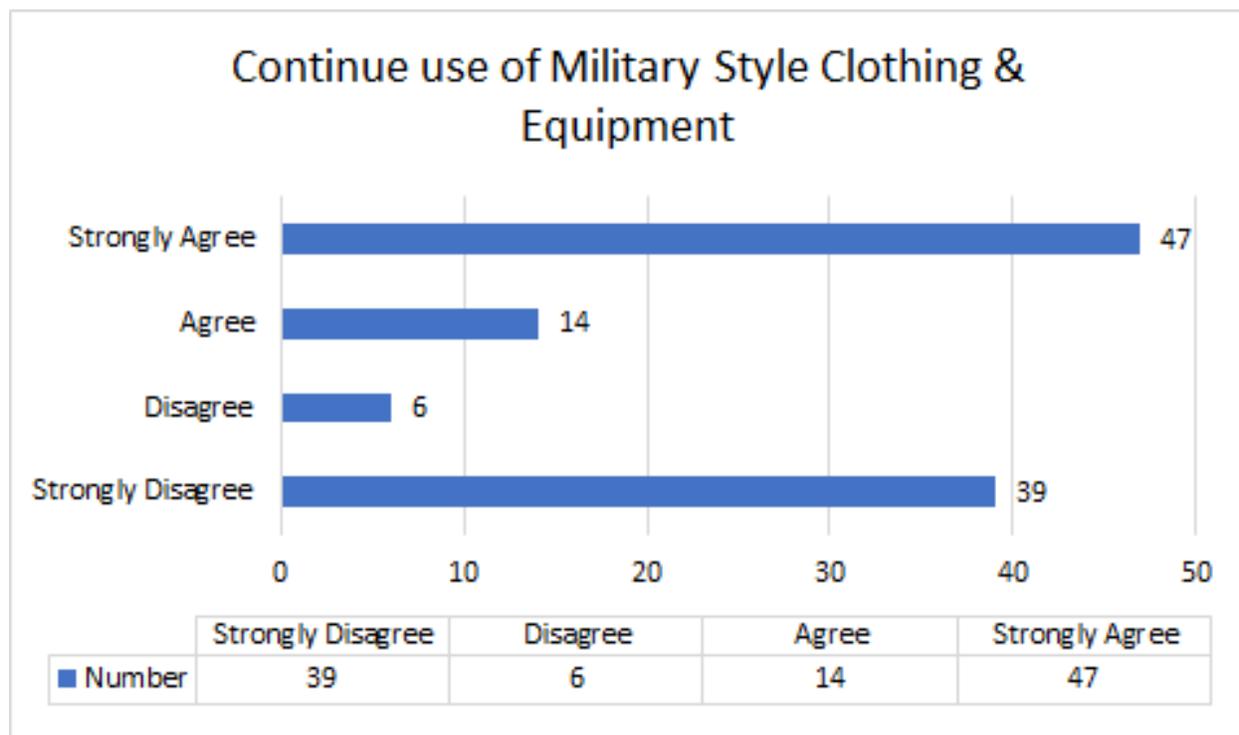
“Have you experienced or witnessed crowd control tactics by the Portland Police Bureau in the last two years?”



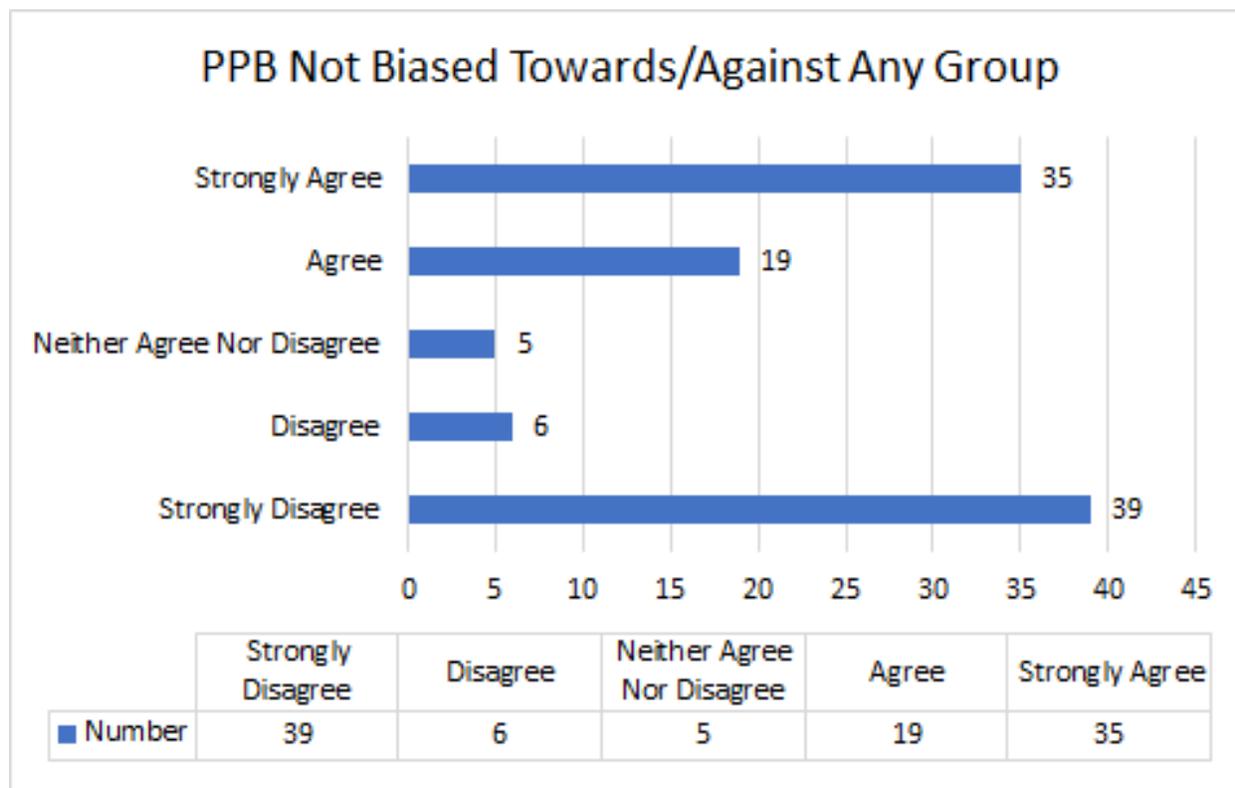
“On a scale of 1 to 10, how would you rate the Portland Police Bureau’s crowd control tactics during your experience?” 1=not appropriate at all, 10=highly appropriate



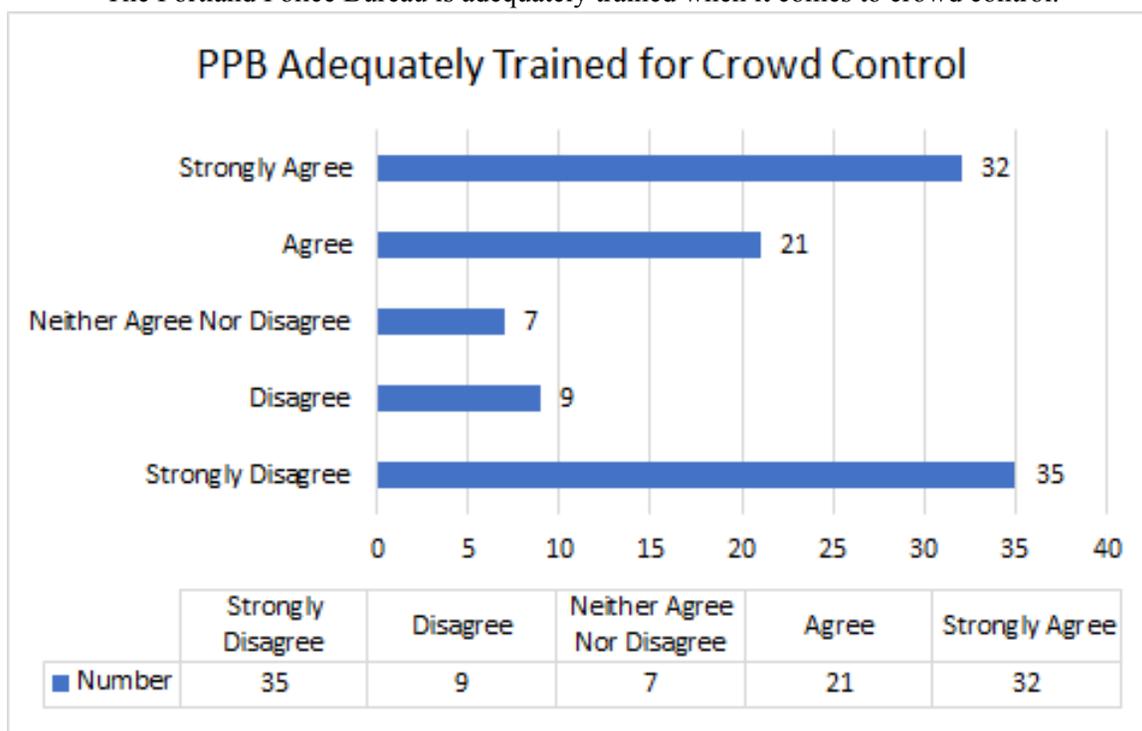
“The Portland Police Bureau should continue to use military style clothing and equipment to aid in crowd control.”



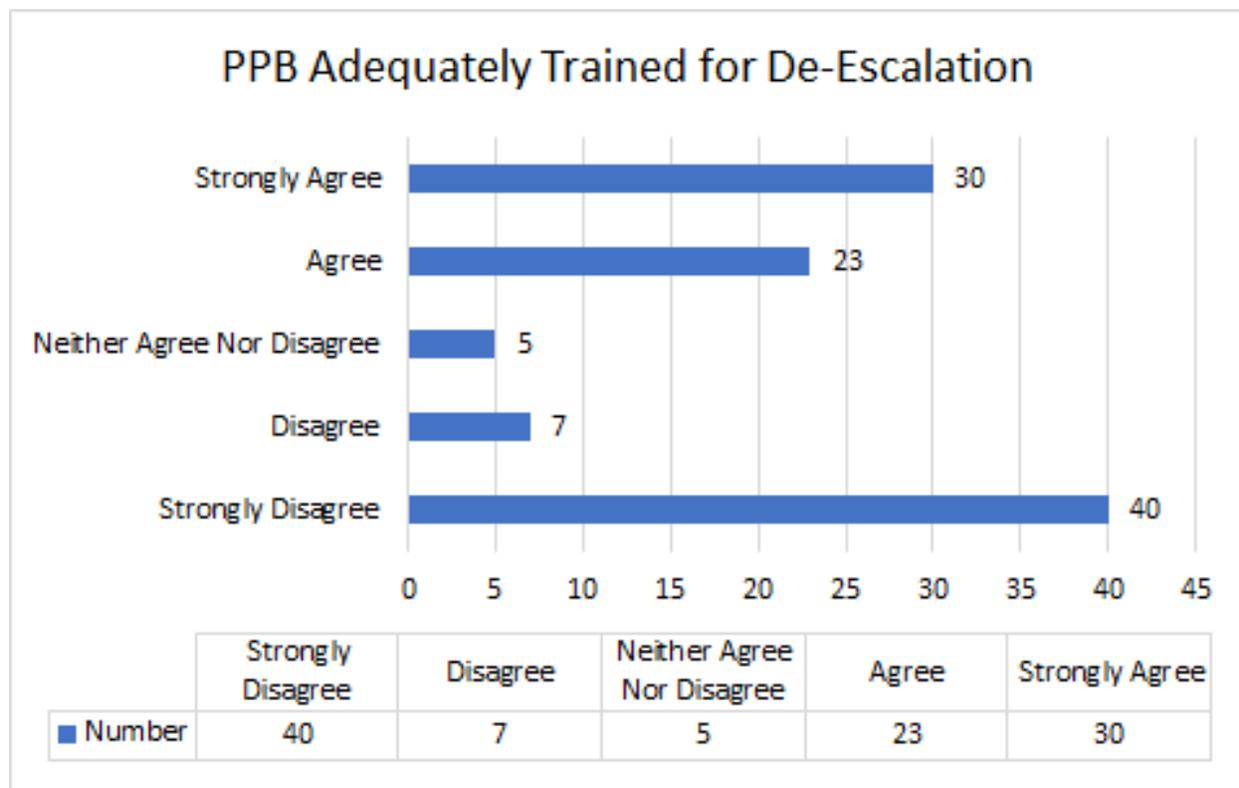
“The Portland Police Bureau is not biased towards one or more groups practicing protests or public gatherings.”



“The Portland Police Bureau is adequately trained when it comes to crowd control.”



“The Portland Police Bureau is adequately trained when it comes to de-escalating situations in protests or public gatherings.”



Appendix D: Protest Experiences Survey Questions (Deadline: Sept 14th)

Portland Protest Experiences Survey

The Crowd Control & Use of Force Work Group Wants to Hear Your Feedback

The Citizen Review Committee (CRC) was created in 2001 to help improve police accountability, promote higher standards of police services, and increase public confidence. The Crowd Control and Use of Force Workgroup of the CRC examines existing crowd control policies, training, and tactics of the Portland Police Bureau, reviews crowd control best practices, legal standards and other information, and makes appropriate recommendations.

As part of our review of how the Portland Police Bureau (PPB) has responded to protests in recent weeks, we would like to gather feedback directly from the community. If you experienced or witnessed the exercise of crowd control tactics by the PPB at any event in the last three years, but especially within the last few months, we invite you to share your thoughts and observations in this survey.

For more information, please email us at crc@portlandoregon.gov or visit our website at <https://www.portlandoregon.gov/ipr/53654>

1. Please select all that apply:

- I have witnessed crowd control tactics by the Portland Police Bureau in the last two years
- I have witnessed crowd control tactics by the Portland Police Bureau in the last 3 months
- I primarily witness crowd control tactics via online videos of the protests
- I have NOT witnessed crowd control tactics, either online or in person

2. On a scale of 1 to 10, how would you rate the Portland Police Bureau's crowd control tactics during your experience?

(Not appropriate at all) 1 - 10 (Highly appropriate)

3. If you have witnessed crowd control tactics, please describe YOUR experience to your best ability and comfort.

4. What suggestions would you provide to improve Portland Police Bureau's crowd control tactics?

5. What tactics would you suggest the Portland Police Bureau keep in place?

6. Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau should continue to use military style clothing and equipment to aid in crowd control.**]

- Strongly Agree
- Agree
- Neither Agree Nor Disagree
- Disagree
- Strongly Disagree

7. Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau is NOT biased towards or against any groups involved in protests or public gatherings.**]

- Strongly Agree
- Agree
- Neither Agree Nor Disagree
- Disagree
- Strongly Disagree

8. Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau is adequately trained when it comes to crowd control.**]

- Strongly Agree
 - Agree
 - Neither Agree Nor Disagree
 - Disagree
 - Strongly Disagree
9. Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau is adequately trained when it comes to de-escalating situations in protests or public gatherings.**]
- Strongly Agree
 - Agree
 - Neither Agree Nor Disagree
 - Disagree
 - Strongly Disagree
10. Please provide any additional comments about the above statements:
11. Have you seen de-escalation techniques by PPB? If so, what were those techniques and were they successful?
12. What actions by protesters did you see that resulted in police action?
13. What actions did you see police take against protesters?
- Physical methods like batons or strikes
 - Vehicular control like tire slashing
 - Impact munitions such as rubber bullets
 - Other
14. Please use this space to share any other information you'd like to add on your experiences at protests

Please share any demographic information or affiliations (THIS IS OPTIONAL). The CRC asks that you voluntarily provide the following information. We will use this information for statistical purposes and to help add context to your experiences.

15. Age
- Under 18
 - 18-35
 - 35-64
 - 65+
16. Gender

17. Race/Ethnicity: Check all that apply

- White
- Black or African American
- Native Hawaiian or Other Pacific Islander
- Asian
- Hispanic, Latinx, or Spanish Origin
- Middle Eastern or North African
- Native American or Alaskan Native
- Prefer not to answer
- Other

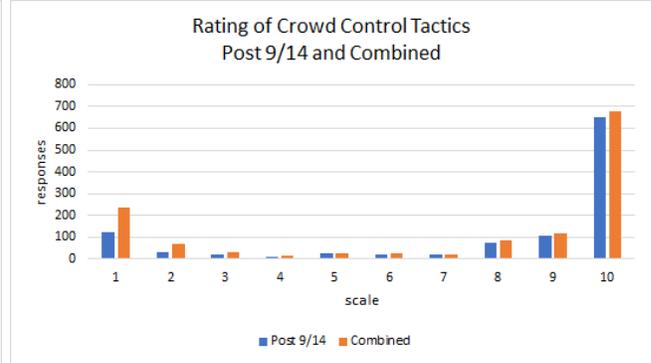
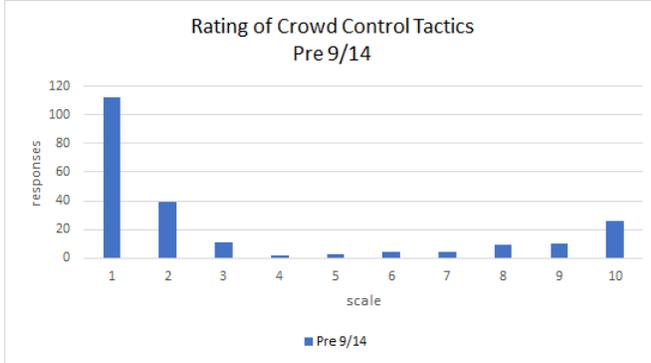
18. Select all that apply:

- Portland Resident
- Non-Portland Resident
- Non-Oregon Resident
- Veteran
- Living with a Disability
- Work in downtown Portland
- Own a business in downtown Portland

19. Are there other ways that describe your identity? Share any additional identities below:
(You can include things like your local community affiliations or any other information you believe is helpful to provide context to your experiences.)

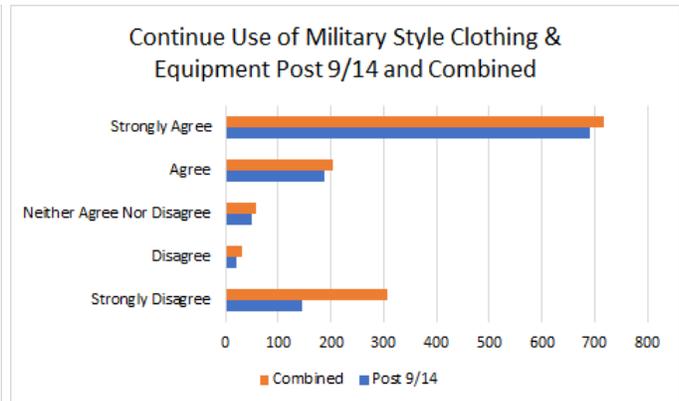
Appendix E: Protest Experiences Survey Quantitative Data

“On a scale of 1 to 10, how would you rate the Portland Police Bureau’s crowd control tactics during your experience?” **(Not appropriate at all) 1 - 10 (Highly appropriate)**



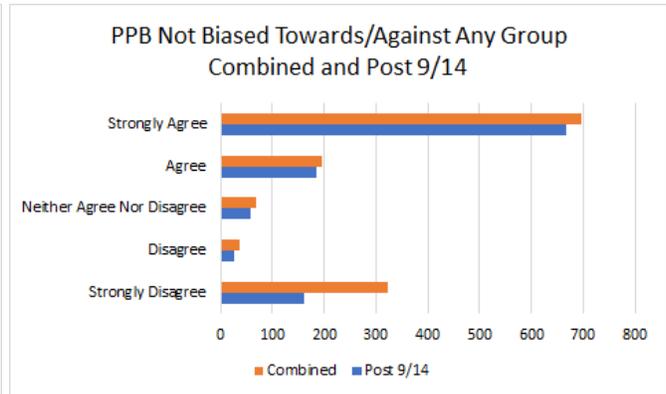
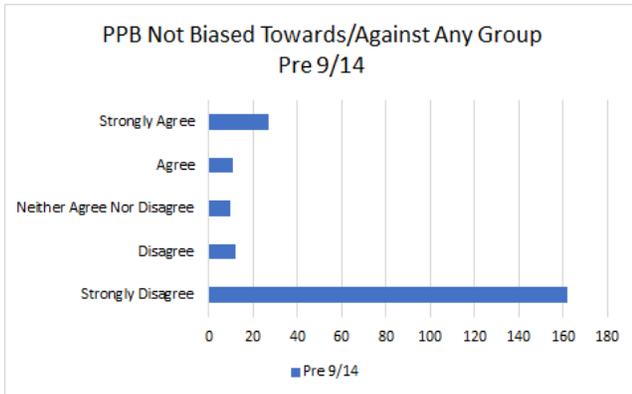
Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
Scale # 1—112	Scale # 1—124	Scale # 1—236
Scale # 2—39	Scale # 2—32	Scale # 2—71
Scale # 3—11	Scale # 3—20	Scale # 3—31
Scale # 4—2	Scale # 4—12	Scale # 4—14
Scale # 5—3	Scale # 5—26	Scale # 5—29
Scale # 6—4	Scale # 6—22	Scale # 6—26
Scale # 7—4	Scale # 7—20	Scale # 7—24
Scale # 8—9	Scale # 8—77	Scale # 8—86
Scale # 9—10	Scale # 9—110	Scale # 9—120
Scale # 10—26	Scale # 10—653	Scale # 10—679

“Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau should continue to use military style clothing and equipment to aid in crowd control.**]”



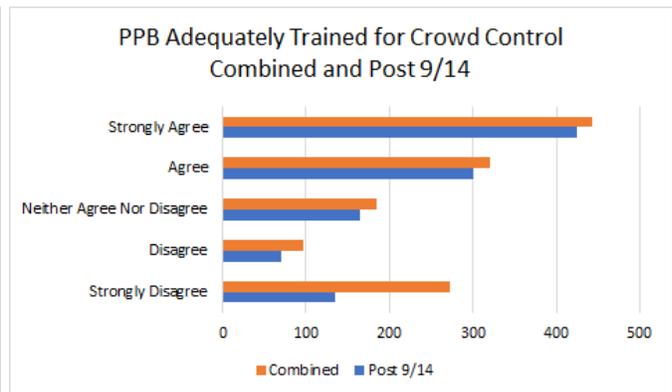
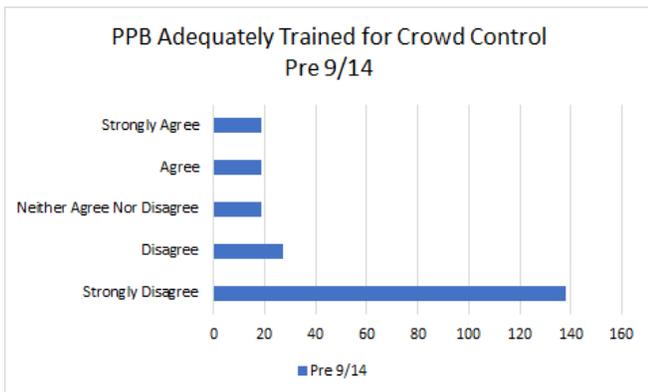
Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
Strongly Disagree: 161 Disagree: 11 Neither Agree Nor Disagree: 8 Agree: 16 Strongly Agree: 26	Strongly Disagree: 146 Disagree: 20 Neither Agree Nor Disagree: 49 Agree: 188 Strongly Agree: 690	Strongly Disagree: 307 Disagree: 31 Neither Agree Nor Disagree: 57 Agree: 204 Strongly Agree: 716

“Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau is NOT biased towards or against any groups involved in protests or public gatherings.**]”



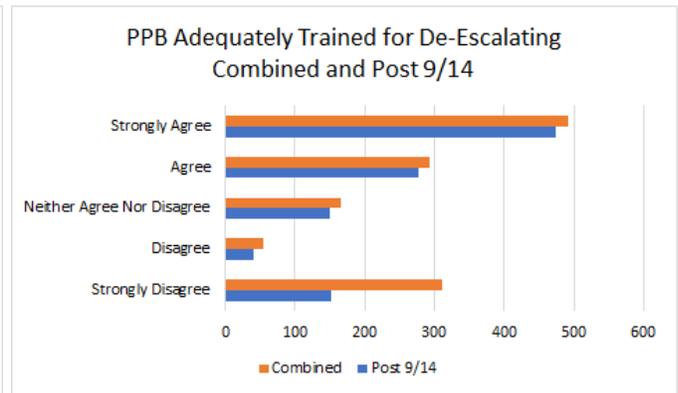
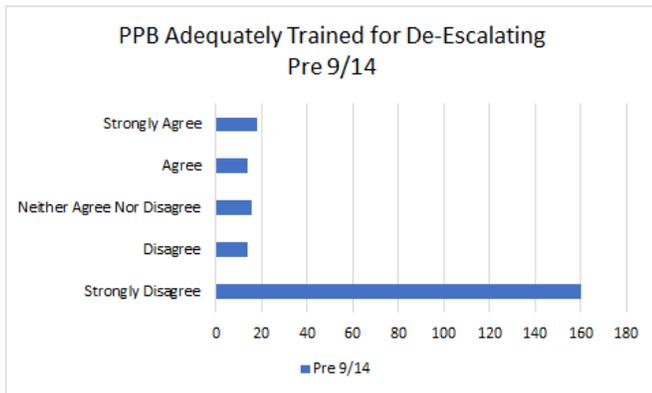
Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
Strongly Disagree: 162 Disagree: 12 Neither Agree Nor Disagree: 10 Agree: 11 Strongly Agree: 27	Strongly Disagree: 160 Disagree: 25 Neither Agree Nor Disagree: 58 Agree: 184 Strongly Agree: 668	Strongly Disagree: 322 Disagree: 37 Neither Agree Nor Disagree: 68 Agree: 195 Strongly Agree: 695

“Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau is adequately trained when it comes to crowd control.**]”



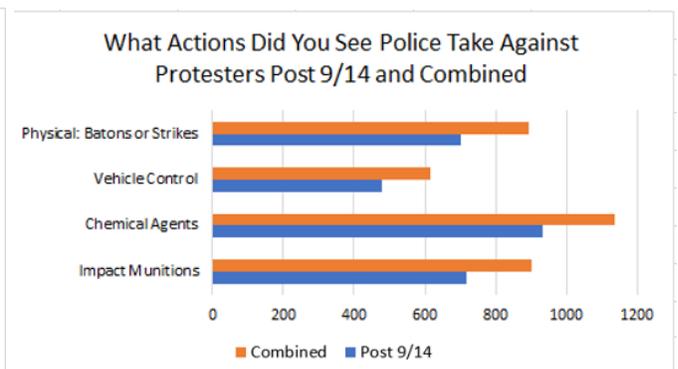
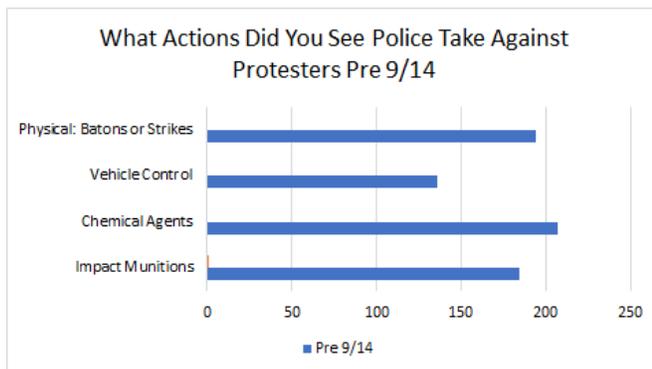
Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
Strongly Disagree: 138 Disagree: 27 Neither Agree Nor Disagree: 19 Agree: 19 Strongly Agree: 19	Strongly Disagree: 134 Disagree: 70 Neither Agree Nor Disagree: 165 Agree: 301 Strongly Agree: 424	Strongly Disagree: 272 Disagree: 97 Neither Agree Nor Disagree: 184 Agree: 320 Strongly Agree: 443

“Please indicate how strongly you agree with the following statements: [**The Portland Police Bureau is adequately trained when it comes to de-escalating situations in protests or public gatherings.**]”



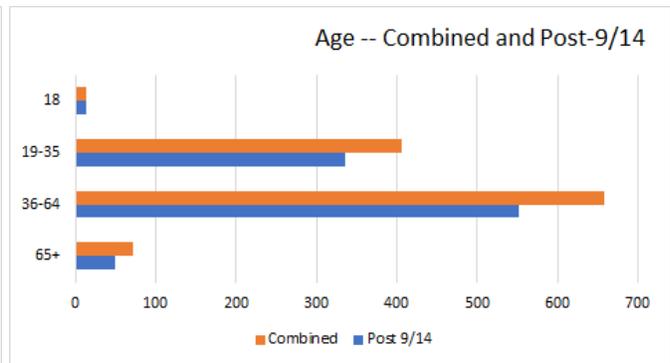
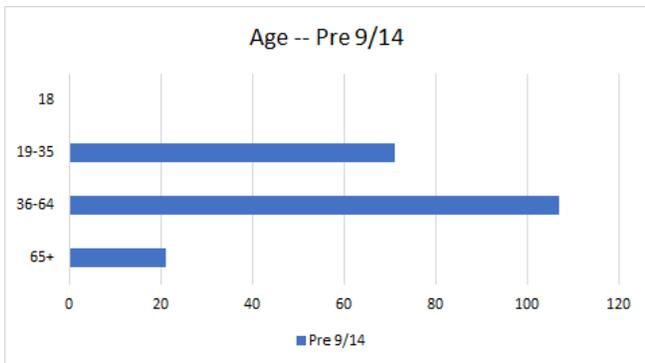
Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
Strongly Disagree: 160 Disagree: 14 Neither Agree Nor Disagree: 16 Agree: 14 Strongly Agree: 18	Strongly Disagree: 151 Disagree: 41 Neither Agree Nor Disagree: 149 Agree : 278 Strongly Agree: 474	Strongly Disagree: 311 Disagree: 55 Neither Agree Nor Disagree: 165 Agree : 292 Strongly Agree: 492

“What actions did you see police take against protesters?”



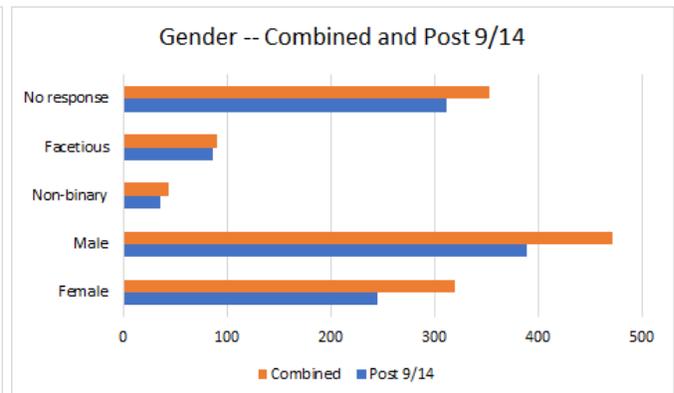
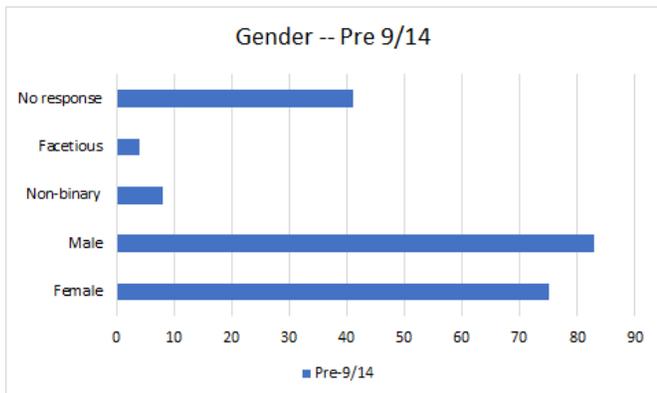
Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
Physical methods like baton or strikes: 194 Vehicular control like tire slashing: 136 Chemical agents such as tear gas or pepper spray: 207 Impact munitions such as rubber bullets: 184	Physical methods like baton or strikes: 701 Vehicular control like tire slashing: 478 Chemical agents such as tear gas or pepper spray: 933 Impact munitions such as rubber bullets: 718	Physical methods like baton or strikes: 895 Vehicular control like tire slashing: 614 Chemical agents such as tear gas or pepper spray: 1138 Impact munitions such as rubber bullets: 901

“Optional Demographic Information: **Age**”



Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
Under 18: 0 18-35: 71 35-64: 107 65+: 21	Under 18: 13 18-35: 335 35-64: 551 65+: 50	Under 18: 13 18-35: 406 35-64: 658 65+: 71

“Optional Demographic Information: **Gender**”



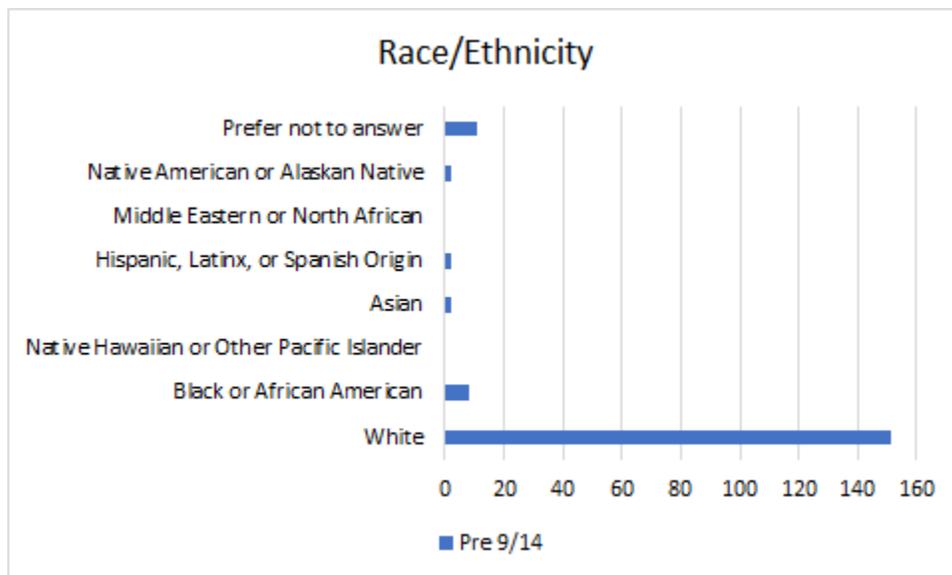
Respondents’ open-ended answers have been coded into four categories: **female**,¹ **male**,² **non-binary**,³ and **facetious response**.⁴ “N/A” and “prefer not to answer” (in addition to simply leaving the field blank) were coded as **no response**.

Note: A large number of post-deadline respondents expressed frustration with the open-ended answer field by mentioning “only two” genders or giving an obviously facetious response. There were other cases where a term such as “fluid,” “neutral,” “non-binary,” or “other” may have been offered as a facetious response. Asterisks marking the **non-binary** and **facetious response** categories in the table below reflect the possibility that sincere and facetious usages may not have been accurately judged and coded.

Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
Female: 75 Male: 83 Non-binary: 8* Facetious: 4* No response: 41	Female: 245 Male: 389 Non-binary: 36* Facetious: 87* No response: 312	Female: 320 Male: 472 Non-binary: 44 Facetious: 91 No response: 353

“Optional Demographic Information: **Race/Ethnicity**”

Note: Respondents could select all choices that applied. As a result, totals may not match the number of individual respondents.



¹ Includes “female,” “cisfemale,” “female trans,” “F,” “woman,” “cisgender woman,” “transgender woman,” “all woman,” “There’s only TWO; I’m female,” etc.

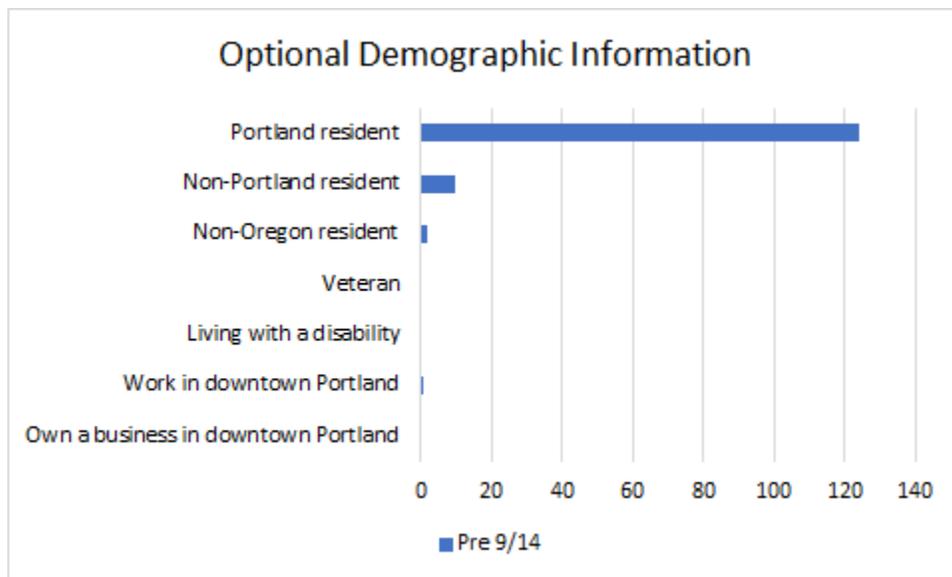
² Includes “male,” “make” [assumed typographical error], “cis-male,” “male cis-gender,” “man,” “he/him,” “M,” “Dude,” “A real male,” “MALE!!!!!!!!!!!!!!!,” “Sex = Male,” “Male (one of only 2 options),” “There are only two genders. I happen to be a male,” etc.

³ Includes “non-binary,” “NB,” “they,” “genderfluid,” “fluid,” “genderqueer,” “agender,” “Two spirit,” “transgender,” “nonbinary male,” “amab,” “femme,” “female nonconforming,” “neutral,” etc.

⁴ Includes “no,” “yes,” “whatever,” “fuck you,” “all,” “binary,” “one of the only two genders,” “haven’t yet decided this morning,” “android,” “American,” “human,” “tax payer,” “unicorn,” “sea turtle,” “xyz,” “transsexual cabbage,” “attack helicopter,” “q,” “social construct,” “lukewarm,” “genuinely confused,” “how dare you ask this,” “This is an offensive question,” “This needs to be two options,” etc.

Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
White: 151 Black or African American: 8 Native Hawaiian or Other Pacific Islander: 0 Asian: 2 Hispanic, Latinx, or Spanish Origin: 2 Middle Eastern or North African: 0 Native American or Alaskan Native: 2 Prefer not to answer: 11	No Data	No Data

“Optional Demographic Information: **Select all that apply**”



Pre 9/14 Deadline Results	Post 9/14 Deadline Results	Combined Results
Portland Resident: 124 Non-Portland Resident: 10 Non-Oregon Resident: 2 Veteran: 0 Living with a Disability: 0 Work in downtown Portland: 1 Own a business in downtown Portland: 0	No Data	No Data

Appendix F: July 8th, 2020 Community Dialogue Agenda & Script

Confirmed Attendees:

Candace Avalos - floater (manage the entire event)
 Carla Gary - facilitator (Breakout Room 1)
 Dara Snyder - facilitator (Breakout Room 2)
 Sofia Vidalis - facilitator (Breakout Room 3)
 Alison Allen-Hall - facilitator (Breakout Room 4)
 Yume Delegato - facilitator (Breakout Room 5)
 Taylor Snell - note taker (Breakout Room 1)
 Irene Konev - note taker (Breakout Room 2)
 Sylvan Fraser - note taker (Breakout Room 3)
 Val Barlow - note taker (Breakout Room 4)
 David Nguyen - note taker (Breakout Room 5)

Supplies List:

- Questions for each breakout room (facilitator guides)
- CCWG Post Survey link
- www.tinyurl.com/crcjoin
- Link for note takers to record conversations
- Dialogue powerpoint presentation
- Virtual copies of the annual report, executive summary, quarterly report, etc.
- Sign in sheet for CRC listserv
- Virtual copies of the crowd control policy paper from 2014

TO DO:

- Put ground rules in the chat for all to see as review
- Organize breakout rooms

5:30pm-5:45pm:

- Introductions from CRC, IPR, and volunteer facilitators
- IPR Overview
 - Led by Irene Konev
- CRC Overview
 - The eleven-member Citizen Review Committee (CRC) was created in 2001 to help improve police accountability, promote higher standards of police services, and increase public confidence. Volunteer CRC members are appointed by City Council to perform four primary functions:
 - Gather community concerns about police services.
 - Help the IPR Director develop policy recommendations to address patterns of problems with police services and conduct independently crafted policy recommendations through specific work groups

- Review and advise IPR and IA on the complaint handling process.
 - Hear appeals from complainants and officers and publicly report its findings.
 - CCWG MISSION STATEMENT: The Crowd Control Workgroup examines existing crowd control policies, training, and tactics of the Portland Police Bureau, reviews crowd control best practices, legal standards and other information, and makes appropriate recommendations.
- Setting the tone
 - We are here to have a discussion to gather information that can influence our direction as a workgroup on where we should focus our energy in relation to policy
- Ground rules (display in powerpoint and post in the chat)
 - Keep focus on our common goal (remind them of purpose in “setting the tone”)
 - Respect others’ perspectives and experiences, avoid assumptions, keep an open mind
 - You will be heard, hear others
 - Notice the power dynamics in the room, be willing to examine racially and gendered biased systems and processes
 - Maintain confidentiality - share lessons, not stories: do not disclose people’s personal stories outside of this room, and instead share the lessons you learned from their stories
 - There is no “quick fix”
 - Participate (step up, step back)
 - Be kind and courageous
 - This is a dialogue, not a debate: don’t try to convince someone of something
 - Disruptive behavior will not be tolerated
 - This is a difficult topic, be aware of potential triggers
 - Respect people’s pronouns
- Go over how we will do the dialogue
 - Virtual breakout rooms to give more opportunities for people to participate in the discussion
 - There are 4 different topics we will be discussing today:
 - Equipment use
 - De-escalation
 - Bias towards one side or other
 - What do you want law enforcement to know (training) (catch all table)
 - We will spend 20 minutes on each topic, goal is for people to give us feedback on each
 - These topics should be addressed in a broad view, and if the topics we’ve outlined today don’t fit the exact area you are hoping to speak on, please feel free to share any other thoughts in your small groups
 - One thing is to hear your experience. And next thing is to hear your suggestions on all of these topics - What would have helped? What could have been better in that situation?
 - There will be a facilitator in each breakout room, as well as a note taker

5:45pm-5:50pm

- Distribute folks into their breakout rooms

5:50pm-6:10pm:

- First topic discussed in groups—Equipment use

6:10pm-6:30pm:

- Second topic discussed in groups—De-escalation

6:30pm-6:50pm:

- Third topic discussed in groups—Bias towards one side or other

6:50pm-7:10pm:

- Fourth topic discussed in groups—What do you want law enforcement to know (training)

7:10pm-7:20pm:

- Return to the main room, group share out, summarizing conversations at each table

7:20pm-7:30pm:

- Next steps
- How to continue engaging with CRC
- This is a first step, continue to gather information from many sources and communities
- If anyone feels they didn't get to share, reach out to us, come to CRC meeting, get in touch with workgroup
- Create a document that will inform policy going forward that will improve policies and procedures governing crowd control. This information input from tonight will be hopefully part of the crowd control directives that are always being worked on
- Invite people to join the work group
- Joining the listserv

OPTIONAL 7:30pm-7:45pm:

- Candace will keep the room open for folks that have questions
- Have an opportunity for folks to turn in written feedback
- If people have more feedback to give, can meet with CRC members directly

Appendix G: July 8th, 2020 Community Dialogue Facilitator Guide

OVERVIEW:

- We are hosting an online community dialogue to hear people's recent experiences interacting with the Portland Police at public demonstrations
- There are 4 different topics that will be discussed:
 - Equipment use
 - De-escalation
 - Bias towards one side or other
 - What do you want law enforcement to know? (training)

- We will have a minimum of one facilitator and one note taker per breakout room, and we expect each room will have between 15-25 people
- We will spend 20 minutes per topic, and the goal is for people to give us feedback on each topic
- In addition to hearing their experiences, we want to hear their suggestions on all of these topics - What would have helped? What could have been better in that situation?
- Participants can choose to stay for each topic, or they can leave at any time and fill out our post event survey.

FOR FACILITATORS:

- As a facilitator, you will be leading the discussion and prompting participants to elaborate on their experiences, provide policy suggestions, and overall give their feedback on what they expect from the Portland Police Bureau for future crowd control management
- Start your breakout room by having people share their name, their pronouns, and any other way they wish to identify themselves (student at PSU, member of the community, witness to several protests, etc.) in order to give context for why they are attending this forum and what they wish to convey about their experiences
- We expect that each topic will be discussed, but use your best judgment to decide in which order to discuss them and see where the conversation goes
- Participants may also choose to leave the discussion early, and if they do please ask them to submit written feedback if able on our post event survey
- We have added some questions from the survey in addition to other questions to help spark conversation at your tables in case people need prompting to help draw out discussion. You can choose to use those questions or create your own around the topic at your specific table
- One of the main reasons for the style of discussion we are doing is to avoid creating opportunities for people to get disruptive by limiting conversations in small groups and having you as a facilitator leading conversation so that if any tensions arise, they can be addressed immediately and you can bring participants back to the goal of our forum
- Candace will be a floater throughout the event, hopping in and out of breakout rooms, so if you feel you are losing control of the room message her directly and she will come help you diffuse any situations

FOR NOTE TAKERS:

- Please use this document to take notes from the conversations in each breakout room.
- The only goal for taking notes is to capture as much of the conversation as you can, so you can do this in whatever way makes the most sense - the more details, the better!
- You can document people's names, but also try to provide identifying information that could help the context of the notes you are taking - this will help us determine if there are any trends among the way different groups are being treated, like students, specific political groups, people with disabilities, etc.

FACILITATION QUESTIONS:

- Have you experienced crowd control tactics by the PPB in the last two years? If so, please describe the experience to your best ability and comfort.
- How would you rate the PPB's crowd control tactics during your experience?
- What suggestions would you provide to improve PPB's crowd control tactics?
- What tactics would you suggest the PPB keep in place?
- Do you believe the PPB should continue to use military style clothing and equipment to aid in crowd control?
- Do you believe the PPB is biased towards one or more groups practicing protests or public gatherings?
- Do you believe the PPB is adequately trained when it comes to crowd control?
- Do you believe the PPB is adequately trained when it comes to de-escalating situations in protests or public gatherings?
- What do you believe is the City Council's responsibility when it comes to managing the relationship between the PPB and protestors?
- Have you seen best practices in other cities that you would recommend for the PPB?
- Have you seen directive 0635.10 Crowd Management/Crowd Control? What feedback do you have on the policy?
- How do you expect the PPB to communicate their tactics and commands during protests? What have you seen them do that was successful? Unsuccessful?
- What do you think the Crowd Control Workgroup of the CRC should be focusing on?
- Would you be willing to help the CRC address policy issues with the directives? In what ways would be best for you to engage with the CRC?
- How have PPB's crowd control tactics changed from before the 2016 election to now? Do you believe our nation's politics are affecting crowd control management? In what way?
- What have been positive interactions you've had with PPB during protests?
- Have you communicated any of your feelings and experiences with the PPB or IPR in the past? What was the result when you did?

Appendix H: References

- Brown, Karina. "Black People Nearly Twice as Likely as Whites to Be Arrested at Portland Protests," *Courthouse News*, 21 August 2020
[\[https://www.courthousenews.com/black-people-nearly-twice-as-likely-as-whites-to-be-arrested-at-portland-protests/\]](https://www.courthousenews.com/black-people-nearly-twice-as-likely-as-whites-to-be-arrested-at-portland-protests/) (Accessed 24 February 2021).
- Chemical Weapons Research Consortium. "Open Letter to Halt Use of Chemical Weapons," 10 August 2020
[\[https://www.chemicalweaponsresearch.com/moratorium_letter/\]](https://www.chemicalweaponsresearch.com/moratorium_letter/) (Accessed 16 May 2021).
- Independent Police Review, "POLICY REVIEW: Portland Police Bureau can improve its approach to crowd control during street protests", *portlandoregon.gov*
[\[https://www.portlandoregon.gov/ipr/article/686119\]](https://www.portlandoregon.gov/ipr/article/686119) (Accessed September 9, 2021)

LC 0743, 2021 Reg. Sess., Oregon Legislature, 22 Jul. 2020

[<https://olis.oregonlegislature.gov/liz/2019I1/Downloads/CommitteeMeetingDocument/224962>] (Accessed 24 February 2021).

Maguire, Edward R. "New Directions in Protest Policing," *Saint Louis University Public Law Review*: Vol. 35: No. 1, Article 6, 2015.

Masterson, Mike. "Crowd Management: Adopting a New Paradigm," *FBI.GOV*, 1 August 2012

[<https://leb.fbi.gov/articles/featured-articles/crowd-management-adopting-a-new-paradigm>] (Accessed 24 February 2021)

McPhail, Clark et al. *Policing Protest in the United States: 1960-1995*, in *POLICING PROTEST: THE CONTROL OF MASS DEMONSTRATIONS IN WESTERN DEMOCRACIES* 50 (Donatella della Porta & Herbert Reiter eds., 1998).

Mohsini, Mira et al. "Police Violence is Hate Violence: Testimonies of Police Brutality from the Streets of Portland, May 31- July 20," *Portland United Against Hate & the Coalition of Communities of Color*, August 2020

[<https://static1.squarespace.com/static/5d24f5be8e93e60001bac0b7/t/5f2c3e05723c0c264b432f1d/1596735027083/PUAH+CCC+Police+Brutality+Report+August+5.pdf>] (Accessed 24 February 2021).

National Police Foundation. "Preparing for and Responding to Mass Demonstrations and Counter-Demonstrations in Portland, Oregon: A Review of the Portland Police Bureau's Response to Demonstrations on June 4, 2017, August 4, 2018, and August 17, 2019," December 2020

[<https://www.portland.gov/sites/default/files/2021/20210421-npf-review-of-the-portland-police-bureaus-response-to-demonstrations.pdf>] (Accessed 16 May 2021).

Neupart, Clara. "The Madison Method: Former Police Chief Suggests Alternative to Military Tactics and Escalation," *Milwaukee Independent*, 20 December 2020

[<http://www.milwaukeeindependent.com/syndicated/madison-method-former-police-chief-suggests-alternative-military-tactics-escalation/#:~:text=Called%20the%20%E2%80%9CMadison%20Model%E2%80%9D%20or,violence%20rather%20than%20prevent%20it>] (Accessed 24 February 2021).

Newark Police Division. "General Order No. 18-20," *Newark PD Monitor*, 8 November 2018

[<https://www.newarkpdmonitor.com/wp-content/uploads/2019/04/Use-of-Force-Policy.pdf>] (Accessed 24 February 2021).

Portland Police Bureau Training Division. "Evaluation Report: 2019 Annual Training Needs Assessment," September 2019

[<https://www.portlandoregon.gov/police/article/756185>] (Accessed 24 February 2021).

Rosenbaum and Associates, LLP. "Compliance Officer and Community Liaison Quarterly Report: Quarter 3 Updates and Analysis," 6 October 2020.

Schweingruber, David. "Mob Sociology and Escalated Force: Sociology's Contribution to Repressive Police Tactics," *The Soc. Quarterly* 41:3, 383–84, 2000.

Sreenivasan, Hari. "How Newark's Protest Preparations Have Helped Maintain Calm," *PBS Newshour*, 6 June 2020

[<https://www.pbs.org/newshour/show/how-newarks-protest-preparations-have-helped-maintain-calm>]

(Accessed 24 February 2021).

Weichselbaum, Simone. "The 'Madison Model,'" *The Marshall Project*, 14 May 2015

[<https://www.themarshallproject.org/2015/05/14/the-madison-model>] (Accessed 24 February 2021).