



City of Eugene

POLICE COMMISSION

The Police Commission recommends to the City Council, City Manager, police department, and the people, the resources, preferred policing alternatives, policies, and citizen responsibilities needed to achieve a safe community. We strive to create a climate of mutual respect and partnership between the community and the police department that helps to achieve safety, justice and freedom for all people in Eugene.

Police Commissioners: Bob Walker, Chair; Bill Whalen, Vice-Chair; Mike Clark; Jim Garner; Edward Goehring; Rachel Hecht; Jesse Lohrke; Steve McIntire; Scott Nowicki; Claire Syrett; Joe Tyndall; Marshall Wilde

Police Commission Meeting
October 8, 2015
5:30 – 8:00

Item	Starting – Ending	Minutes
Review Agenda	5:30 – 5:35	5 min
Public Comments	5:35 – 5:50	15 min
Commissioner Comments / Responses	5:50 – 6:05	15 min
Review September Minutes	6:05 – 6:10	5 min
Crowd Management and Control Policy 404 Review (Sgt. Lowen)	6:10 – 6:25	15 min
Body Worn Camera Policy (AC Durr)	6:25 – 6:50	25 min
BREAK	6:50 – 7:00	10 min
Chief's Presentation	7:00 – 7:10	10 min
21 st Century Policing (AC Durr)	7:10 – 7:40	30 min
Commissioner Closing Comments	7:40 – 8:00	20 min

UPCOMING Police Commission Meeting:

November 12, 2015

City of Eugene Police Commission

September 10, 2015

Meeting Notes

The official full record is contained in the video recording, at the Police Commission web page, linked [here](#).

The meeting convened at 5:30 P.M.

Members in attendance: Bob Walker, chair; Bill Whalen, vice chair Edward Goehring; Jim Garner; Rachel Hecht; Jesse Lohrke; Steve McIntire; Scott Nowicki; Claire Syrett; Joe Tyndall; Marshall Wilde

Members absent: Mike Clark

EPD Staff in attendance: Chief Pete Kerns, Lt. Nathan Reynolds, Lt. Carolyn Mason, Sgt. Matt Lowen, Carter Hawley

Agenda Review

Ms. Hawley reviewed the agenda.

Police Commission Comments

Commissioners welcomed new Commissioners Mr. Nowicki, Mr. McIntire, and Mr. Wilde, and returning staff Ms. Hawley. They also thanked and commended Mr. Cleversey for his staff work with the Commission.

Mr. McIntire reported the CRB reviewed a case that involved evidence that was not contained in an evidence bag. He requested that the Police Commission consider addressing a policy addressing the issues raised in this case.

Ms. Syrett stated that in response to the Mayor's letter regarding downtown, a group is being convened to address the issues. Ms. Syrett will report back.

Review of Minutes

Mr. Goehring moved and Mr. Garner seconded approval of the June and July minutes. Approved 10-0-1 (Aye - Walker, Whalen, Syrett, Nowicki, Lohrke, Goehring, Tyndall, Wilde, Hecht, Garner. McIntire abstained).

Review of Crowd Management and Control Policy

Mr. Garner noted that 404.6.3(d) should be amended to read: "Second and third warning shall be issued, if conditions permit, at reasonable time intervals..."

Commissioners discussed the difference in response to civil disturbance vs. civil disobedience, and suggested the policy include additional language addressing the department's response to civil disobedience.

Mr. Goehring suggested the policy should include a decision tree regarding the different responses for different events.

In response to questions from the Commission, Chief Kerns agreed to provide the command directive and any new policies regarding armored vehicles.

Police Commission Notes

September 10, 2015

Thank you for George Rode

The Commission deferred the discussion, to publicly thank George Rode, whose Police Commission term concluded in June 2015. Mr. Rode was provided a certificate, and thanked by the members of the Police Commission for his thoughtful service.

Crowd Management and Control Policy (404), continued

Mr. Tyndall moved and Ms. Syrett seconded that the definition of civil disobedience in section 404.3 be amended as follows:

Civil Disobedience: A symbolic, non-violent violation of the law, done deliberately in protest against some form of perceived injustice. ~~Mere dissent, protest, or disobedience of the law does not qualify.~~ The act must be nonviolent, open and visible, ~~illegal~~, performed for the moral purpose of protesting an injustice, and done with the expectation of being punished.

Mr. Nowicki moved to amend the motion to move the struck sentence to the end of the definition. The motion did not receive a second.

Chief Kerns noted that the Department has significant experience and assigns liaisons to various civil disobediences, that the policy should outline specific responses, including if a peaceful planned event is commandeered by another group, and that the Department will provide the Police Commission with other similar policies.

Mr. Tyndall moved and Ms. Hecht seconded changing the order of section 404.6.4, by moving the first item, “A. Display of forceful presence including police lines that may combine with bicycles, motorcycles, law enforcement vehicles, and armored police vehicles” to the end of the list, as item D. Sgt. Lowen responded that the intent of the section is to first provide a deterring visible police presence before any force or contact is made with the protest, and that the list as proposed escalates the response, starting with no contact but a physical presence. The motion failed unanimously.

By unanimous consent, the commission did not take action on the policy but held it over to the October meeting.

Chief’s Presentation

The Chief responded to questions and comments about his report, contained in the meeting packet.

Officer Veteran Response

Lt. Nathan Reynolds introduced Dr. Michael Leeds. Dr. Leeds discussed efforts underway in Eugene to address the needs of veterans, including Vet Net, Vet Court, and he discussed similar work in Boise, Idaho. Discussion ensued. The Commission expressed appreciation for the work underway, and encouraged continued coordination between policing and other service providers serving veterans.

Mental Health Crisis Policy 418

Lt. Carolyn Mason described the history of the Crisis Intervention Team (CIT) program and reviewed the changes made in the updated policy.

Mr. Goehring moved and Ms. Syrett seconded approval of the policy as proposed.

Police Commission Notes

September 10, 2015

Mr. Wilde suggested that before the policy is approved it should be sent to Lane County Behavioral Health for their review.

The motion was approved 10-1 (aye-Walker, Whalen, Garner, Nowicki, Syrett, Hecht, Tyndall, McIntyre, Lohrke, Goehring, nay- Wilde)

Lt. Mason agreed to send the policy to Lane County Behavioral Health and to Dr. Leeds for any feedback and comments.

Commissioner Comments

Commissioners offered closing comments, including welcoming the new commissioners, thanking George Rode for his service, comments about the homeless camps, and gratitude for the Commission's hard work and good discussion.

The meeting adjourned at 8:20.

Notes taken by Carter Hawley

POLICY
404

EFFECTIVE
DATE
Draft 081015

Eugene Police Department



Crowd Management and Control

404.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for managing crowds and preserving the peace during demonstrations and civil disturbances.

404.2 POLICY

The Eugene Police Department will strive to effectively manage crowds during demonstrations or civil disturbances to prevent loss of life, injury, or property damage and minimize disruption to persons who are uninvolved. Officers encountering such incidents shall adhere to this policy to protect life, property, and the exercise of First Amendment rights. In rare circumstances involving emergencies, and in widespread highly volatile civil unrest with the potential for widespread violence, the incident commander (IC) may temporarily suspend any policy, provision, or guideline contained herein when such action is determined to be the only reasonable alternative for the prevention of loss of life or major property damage.

404.3 DEFINITIONS

Demonstration: A lawful assembly of persons organized primarily to engage in First Amendment activity. These may be scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention. Lawful demonstrations can devolve into civil disturbances that necessitate enforcement action.

Civil Disturbance: A gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. Such a gathering may also be referred to as a riot or unlawful assembly.

Civil Disobedience: A symbolic, non-violent violation of the law, done deliberately in protest against some form of perceived injustice. The act must be nonviolent, open and visible, and performed for the moral purpose of protesting an injustice, and done with the expectation of being punished.

404.4 GENERAL MANAGEMENT OF CROWDS

Government agencies may impose *reasonable restrictions* on the time, place, and manner in which persons engage in First Amendment activity. The department shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and order and, to the degree possible, facilitate uninhibited commerce and freedom of movement and only after consulting with the City Attorney's office, when practicable.

The Incident Command System (ICS) will be used in crowd management situations to ensure control and unified command.

If the crowd control event is a planned event (such as a permitted protest) or an event that can be reasonably forecasted, the Watch Commander will prepare a written operations plan and submit it to the Patrol Captain for approval and then the Assistant Chief of Police for review.

When events are identified which indicate large crowds are intending to gather, whether lawfully or not, every effort will be made to establish contact with event leaders and to gather information about the event to ensure appropriate assignment of personnel and resources. Normally this responsibility will fall to either the Watch Commander or one or more members of the Special Investigations Unit (SIU). When assessing the crowd event for planning purposes, consider the following:

- a. What type of event is planned? [Can it be easily categorized as Civil Disobedience or Civil Disturbance?](#)
- b. When will it begin and end?
- c. How many participants are anticipated?
- d. Is the event permitted?
- e. Will there be opposition to the event planned? Counter-demonstration?
- f. Do the event leaders anticipate protest devices? (e.g. sleeping-dragons, tripods, u-locks, etc.)
- g. How are the event planners using social media?
- h. Is there critical infrastructure located near the planned event?
- i. Where are potential assembly areas, casualty collection points, and field detention processing points located? What are their ingress and egress routes?
- j. What is the history of conduct at similar planned events? Are the event leaders cooperative?

Supervisors will deploy officers to locations to best monitor crowd activity; however, officers should be positioned in such a manner as to minimize contact with the assembly. Officers assigned to monitor crowds will not engage in conversations or be prompted to act in response to comments from demonstrators. Officers shall maintain a courteous and neutral demeanor.

Personnel shall wear their badges and nameplates or other identification in a visible location on their person at all times.

[404.5 RESPONSE TO CIVIL DISOBEDIENCE](#)

[Nothing in this section is intended to require responding officers to disregard normal officer safety protocols. The Eugene Police Department will never intentionally infringe on the public's right to peaceably assemble or exercise rights to freedom of speech; however, non-violent breaches of the peace \(such as trespassing at a business or other private property\) will be addressed **IF** there is a willing complainant. *Passively blocking vehicular travel lanes and public rights of way is NOT considered Civil Disobedience for the purposes of this policy.*](#)

[Officers dispatched to a report of Civil Disobedience should immediately summon the necessary amount of officers necessary to cordon and contact the group and a supervisor to the scene. In addition to the factors listed in § 404.4\(a-j\), take note of the number and disposition of the protestors and attempt to identify leaders of the protest. If time allows, attempt to solicit from leaders or protestors who would like to be cited in lieu of custody and then released.](#)

The first supervisor on scene should assume command of the scene and identify if any additional resources are necessary to resolve the situation. Once the appropriate number of officers are on scene, the supervisor should contact the group and notify them that their gathering is unlawful and that they are being given a lawful order to leave the property immediately. The supervisor should then use officers to systematically remove protestors beginning with those who are willing to be cited in lieu of custody, proceeding to those who are not relying on protestor devices or passive resistance (i.e. non-combatively clinging to other persons or fixed objects), those who are passively resisting, concluding with those bound or fixed inside of protestor devices. Supervisors should also consider:

a. Use of Jail Van and other considerations for significant numbers of compliant persons to be physically arrested and lodged at the Lane County Jail.

a.b. Staging medics nearby.

404.56 USE OF FORCE SPECIFIC TO CIVIL DISTURBANCES

Unless exigent circumstances justify immediate action to perform an arrest, officers will not independently make arrests or employ force without authorization from a sworn supervisor.

The following limitations and restrictions shall be observed during demonstrations and civil disturbances:

- a. Canine teams will not be deployed to perform crowd containment or dispersal. Police canines will remain in their patrol vehicles or other secure locations away from the view of the crowd, if reasonable to do so. Canines may be deployed away from the crowd control scene to pursue suspects or perform other related canine functions.
- b. Impact projectiles and Tasers will only be used in accordance with their respective policies to assist in the arrest of actively resistant individuals or in defense of an officer or third party. These weapons will not be indiscriminately deployed into crowds as a method of dispersal.
- c. Oleoresin capsicum (OC) may only be used against specific individuals engaged in unlawful conduct, or those who are actively resisting arrest. OC spray may not be used against groups of people as a method of crowd dispersal, or against those passively resisting. High-volume OC delivery systems are designed for use against crowds of people who are all engaged in unlawful acts or endangering public safety and security. Sworn supervisors should deploy or direct the use of high-volume OC delivery systems against groups.
- d. A police PR-24 baton, or similar device, may be used as a defensive weapon; as a means of overcoming resistance to an arrest; as a show of force; or as a means to deny access to, or disperse a crowd.

404.67 RESPONSE TO CIVIL DISTURBANCES

404.67.1 ACTIONS OF FIRST OFFICER TO ARRIVE AT THE SCENE

- a. Observe the situation from a safe distance to determine if the gathering is currently or potentially violent.
- b. Notify dispatch of the location, number of participants and seriousness of the disturbance. Observe for and relay the presence of any dangerous or deadly weapons, fires, barricades, or any efforts made by demonstrators to interrupt or block vehicular traffic.

- c. If approaching the crowd will not present any unnecessary risk to the officer, he or she should instruct the crowd to disperse and attempt to identify any leaders or agitators positioned in the crowd.

404.67.2 ACTIONS OF FIRST SUPERVISOR TO ARRIVE AT THE SCENE

- a. Assume responsibility as (IC) until relieved by another supervisor of same or higher rank.
- b. Establish a perimeter sufficient to contain the disturbance and prohibit entrance into the affected area if necessary.
- c. Establish a temporary command post (CP).
- d. Reroute pedestrian and vehicular traffic around the disorder and attempt to control unauthorized egress into the disorder.
- e. Ensure photographs of any injured officer, bystander, or demonstrator are taken.
- f. Assign a videographer(s) as soon as practicable.
- g. Begin to plan and consider:
 - 1. Whether or not mutual aid requests or recalls of detectives or off-duty personnel are necessary
 - 2. Locations of media staging areas, staging areas for first responders, or temporary holding facilities.

404.67.3 CROWD DISPERSAL

Before ordering the forced dispersal of a civil disturbance, the Incident Commander will conduct the following:

- a. If feasible, establish contact with crowd leaders and develop a mutually acceptable plan for de-escalation and crowd dispersal.
- b. Ensure that prior to issuing a planned dispersal order all the potentially necessary law enforcement, fire and EMS equipment and personnel are on hand to successfully carry out the tactical operation, including logistical needs for mass arrests.
- c. When the IC has made a determination that an unruly gathering is present and crowd dispersal is required, he or she shall direct unit commanders, where time and circumstances permit, to issue warnings prior to taking action to disperse the crowd.
- d. The warning shall consist of an announcement citing the offenses or violations being committed, an order to disperse, and designated dispersal routes. A second and a third warning shall be issued at reasonable time intervals if practicable before designated actions are taken to disperse the crowd. Where possible, the warnings shall be audio or video recorded and the time and the names of the issuing officers recorded.

404.67.4 APPROVED CROWD DISPERSAL METHODS

Specific crowd dispersal tactics shall be ordered as necessary where the crowd does not heed warnings. These crowd dispersal tactics include, but are not limited to, any one or a combination of the following:

- a. Display of forceful presence including police lines that may combine with bicycles, motorcycles, law enforcement vehicles, and armored police vehicles.
- b. Maneuvering or sheparding a crowd away from an area by placement of police lines
- c. Multiple simultaneous arrests
- d. Use of approved chemical agents
- e. Use of police batons to force crowd movement

404.67.5 MASS ARRESTS

In a civil disturbance it may be necessary to make arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following shall be observed:

- a. Mass arrests shall be conducted by designated squads.
- b. An adequate secure area shall be designated for holding prisoners after initial booking and while awaiting transportation.
- c. Arrestees who are sitting or lying down but agree to walk shall be escorted to the transportation vehicle for processing; two or more officers shall carry those who refuse to walk.
- d. Injured prisoners and those who request medical attention shall be provided medical attention prior to transportation to the detention facility. Photographs shall be taken of all injuries.

404.67.6 DEMOBILIZATION

When the disturbance has been brought under control, the IC shall ensure that the following measures are taken:

- a. All personnel engaged in the incident shall be accounted for and an assessment and documentation made of personal injuries.
- b. Assign a case agent responsible for the event and subsequent investigation.
- c. All written reports shall be completed before the end of any responding officer's shift.
- d. A comprehensive documentation of the basis for the incident, the department's response to the incident, with a statement of impact to include the costs of equipment, personnel, and related items will be prepared by the IC or designee.



EUGENE POLICE DEPARTMENT

DEPARTMENT ADMINISTRATIVE DIRECTIVE

No. DAD15-009

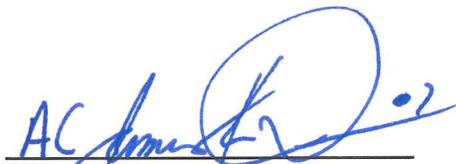
Date: June 29, 2015

Subject: Armored Rescue Vehicles

In an effort to better track the use of Armored Rescue Vehicles (BearCat and Humvee), effective July 1, 2015, a Blue Team entry will be required to be completed by the supervisor authorizing its use each and every instance it is deployed in a tactical situation, whether by Patrol or SWAT. Patrol is not authorized to utilize the Humvee unless approved by the SWAT commander. The use of these vehicles, prior to deployment must have the approval of the on duty watch commander or SWAT commander. Entries are not required for training situations. This is not meant to dissuade its use but to better track how often and under what circumstances it is deployed.

Keep in mind that the BearCat, or any piece of armor, is a valuable tool to keep officers and the community safe, but it does have limitations. Under certain circumstances, it can have the effect of increasing the anxiety of suspects and suicidal subjects when introduced. Also remember that the SWAT Team Commander is to be notified each and every time patrol utilizes the BearCat. A phone call or text message is sufficient notification.

To document the incident in the Blue Team Software, you must create a new incident. Once in the incident module, the type of incident is labelled "Tactical Vehicle Deployment" which once selected will take you to the regular incident screen to complete. The entry will detail the location it is deployed to and under what circumstances it was deployed and case number. When the entry is finished, the SWAT team commander is to be copied on the incident.



James K. Durr
Assistant Chief of Police



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Document #: 609008
Title: "Crowd Management/Crowd Control"
Author:
Attributed To: Portland Police Bureau
Population: 557706
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Last Updated: 12/18/2009

Supplemental Resource(s):

 www.portlandoregon.gov/police/29708
(web)

Summary:

This policy is taken from the Portland, Oregon, Police Bureau Manual of Policy and Procedure. The Portland Police Bureau recognizes that the City of Portland has a tradition of free speech events. It is the policy of the Portland Police Bureau to uphold constitutional rights of free speech and assembly. The Bureau will accomplish this by applying the appropriate level of coordination, direction, guidance, and when necessary, control to protect life and property and to maintain public peace and order.

Document Text:

Portland Police Bureau
Portland, Oregon
Manual of Policy and Procedure

635.10 Crowd Management/Crowd Control

Index: Title;

Refer: ORS 131.675 Dispersal of Unlawful or Riotous Assemblies; DIR 635.00 Strikes/Job Actions; DIR 940.00 After Action Reports and Operation Orders; DIR 1010.20 Physical Force; DIR 1030.00 Baton Use; DIR 1040.00 Aerosol Restraints; DIR 1050.00 Less Lethal Weapons and Munitions; DIR 1051.00 Taser, Less Lethal Weapon System; DIR 1090.00 Special Weapons Use

POLICY (635.10)

The Portland Police Bureau recognizes that the City of Portland has a tradition of free speech events. It is the policy of the Portland Police Bureau to uphold constitutional rights of free speech and assembly. The Bureau will accomplish this by applying the appropriate level of coordination, direction, guidance, and when necessary, control to protect life and property and to maintain public peace and order.

Actions and speech protected by the First Amendment include such things as rallies, marches, parades and leafleting. Actions or behavior that involve trespassing, destruction of property, disruption of transportation, unlawful use of amplification devices, assaults and disturbances of the peace are not protected by the First Amendment.

PROCEDURE (635.10)

Directive Specific Definitions

Aggressive physical resistance: Physical actions of attack or threat of attack coupled with the ability to carry out the attack which may cause physical injury.

Bureau event liaison: A Bureau member who has been designated as the primary contact for communication with the event's primary liaison to police, as established by the event organizers.

Crowd control: Techniques used to address public assemblies where unlawful conduct has taken place or threatens to take place, or there is a need to change or control the assembly's location or behavior to protect public health, safety or welfare. Techniques can include containment, dispersal, and arrests.

Crowd Control Incident Commander (CCIC): Command level personnel selected and trained to manage crowd events. The CCICs have the authorization and responsibility for all police actions at such events. Two CCICs will be designated by the virtue of their assignment: the Central Precinct commander and one Central Precinct lieutenant. Two additional CCICs will be selected and trained. The Central Precinct commander will be the primary CCIC for all events citywide based on workload and availability unless the Operations Branch chief delegates the responsibility to another CCIC.

Crowd management: Techniques used to facilitate, coordinate and manage lawful public assemblies before and during the event for the purpose of encouraging and maintaining their lawful and peaceful status.

Passive resistance: A situation where an individual merely goes limp and/or fails to comply with verbal commands with no other overt signs of resistance.

Peacekeeper: Persons designated by event permit holder to assist with maintaining an orderly event.

Persons-in-charge: A person designated by an event permit holder to act on behalf of, and with the authority of, the permit holder.

Physical resistance: Actions that prevent or attempt to prevent members' attempts to control a subject, but do not involve attempts to harm the member.

Planned/permitted event: An activity where a permit is obtained and/or the event is publicized.

Unplanned/spontaneous events: Unforeseen or unplanned events or incidents that draw a crowd. Such events may be lawful or they may create risk to public safety, peace and order or damage to property.

Planned or unplanned events may include parades, marches, labor disputes, rallies, celebratory crowds, etc.

Planned/Permitted Events (635.10)

When there is advance knowledge of a planned event, attempts will be made, at the earliest opportunity, to establish and maintain communication with representatives of the event (even if a permit has not been applied for or issued). If communication is established, organizers of the event will be asked to identify their primary liaison to police. The Bureau event liaison will attempt to set up advance meetings in preparation for the event. The Bureau event liaison will establish and maintain continuous contact with both the Crowd Control Incident Commander (CCIC) and the event representatives during the event.

During meetings with event representatives, Bureau representatives will discuss the purpose, size, scope and organization of the event. Bureau planners will attempt to determine the intent of the organizers. A threat assessment will be conducted focusing on key indicators. Bureau representatives will discuss general tactics and resources. Reasonable efforts at accommodation and cooperation will be made. Specific details of tactical planning will generally not be discussed. To the degree possible, agreements should be reached regarding timelines of the event, routes to be followed, planned stops, readily identifiable persons-in-charge and peacekeepers from the event organizers, etc.

The preferred police response is one of crowd management rather than crowd control. Based on a threat assessment, crowd control plans should be in place with the option of immediate application if the need arises. However, if crowd leaders have sufficient internal communication and control mechanisms, it will be the Bureau's goal to work through the persons-in-charge and peacekeepers to solve problems and achieve public safety results.

Event planning and coordination will be conducted with affected city bureaus and divisions within the Police Bureau. Additionally, potential targets of a protest should be advised of the event to minimize surprise and confusion. Site surveys of the route/location of the event should be conducted as part of the planning process. Also, site surveys should be conducted immediately prior to the commencement of the event. The survey should include physically surveying the entire route if the event is a march.

Effective deployment during these events generally consists of pairs of members on foot and/or on bicycles to provide a uniform presence, to monitor crowd activity, and to assist traffic diversions or crowd interaction with spectators.

Unplanned/Spontaneous Events (635.10)

Many spontaneous events can be lawful and facilitated with minimal police assistance. An unplanned or unforeseen event or incident may create a risk to public safety, peace and order or damage to property. Members should remember that an unplanned/spontaneous event does not automatically mean that it is an unlawful assembly. The responding Incident Commander (the most senior member by rank or seniority), shall make every effort to ensure there is a measured police response. A notification for the CCIC to respond to the incident will be made as soon as practical.

The police response will be commensurate with the overall threat, if any, to public safety, life and property, and maintaining order. These actions may include directing crowd and vehicular movement, enforcing ordinances and statues, and employing any physical force necessary. Decisive and appropriate actions during the initial stages of a disturbance may make the difference in effectively managing the event.

Incident Commander (635.10)

For All Crowd Events

The Incident Commander (IC) or supervisors should initiate and coordinate appropriate action to maintain the safety of the public, event participants and emergency personnel. An immediate and ongoing assessment of the event is imperative for effective police response. The IC should gather the following information:

- a. Location and type of event.
- b. Crowd size and behavior.
- c. Number of participants engaging in conduct that is, or is likely to, become unlawful and spread to other crowd participants.
- d. Prior behavior of identified participants and crowd leaders.
- e. Threats to safety of public or members.
- f. Damage to property.
- g. Size of involved area.
- h. Number of additional members needed and special assets such as RRT, MPU, Air One, PFB, EMS, etc.
- i. Location of staging area.
- j. Location of command post.
- k. Ingress and egress routes.
- l. Possible impact on vital infrastructure.

The IC should attempt to contact formal or informal leaders to establish intent and to negotiate/facilitate order of the event. (Police personnel should use caution when entering a hostile crowd solely for the purpose of communication). When possible, clear instructions should be communicated to the crowd. The IC and supervisors are responsible to ensure that all orders given to a crowd are consistent, lawful, and appropriate for the circumstances. The IC should take reasonable steps to ensure orders to the crowd have been heard and understood. Unless there is an immediate risk to public safety, or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with police commands before action is taken.

The IC will make the final decision as to what control action, if any, will be taken to address a crowd event. The police response will be commensurate with the degree of violence, disorder, criminal conduct and perceived threat to public safety, life and property. Crowd size and available police resources will also factor into the response. Uncoordinated actions or actions by individual members shall be avoided.

The following factors should be considered:

- a. Likelihood of police action improving the outcome.
- b. Legal standing.
- c. Weigh effectiveness of targeted arrests of specific violent or disruptive individuals vs. applying broad crowd control tactics.
- d. Sufficiency of personnel resources to achieve the action (number and level of training).
- e. Establishment of clear escape/dispersal routes for the crowd and police.
- f. Ability to clearly communicate with crowd (loud speakers, personal contact with leaders).
- g. Modify plans/tactics as conditions evolve.
- h. Availability of less-lethal crowd control equipment/tools.
- i. Disengagement timeline and strategies.

Members must maintain a professional demeanor, despite unlawful or anti-social behavior on the part of crowd members.

Crowd Control Tactics (635.10)

Note that the order of these tactics is fluid (to provide for escalation and de-escalation) and will change based on need.

- a. Pre-emptive removal: Pre-emptive removal/confiscation of potential weapons under authority of city code.
- b. Display of members/show of force: Uniform presence can be used to deter criminal activity. Members should be brought into crowd view in an organized manner (i.e., Mobile Field Force).
- c. Selective arrests: Individuals in the crowd who are organizing or motivating unlawful conduct or resistance to lawful orders and have engaged in unlawful conduct. It can be an effective technique to arrest. This should be coordinated with the IC and be done at a supervisor's direction. Sufficient members should be present to safely take the subjects into custody and to remove them from the area.
- d. Multiple arrests: Multiple arrests will generally occur pursuant to a dispersal order. The IC should ensure sufficient resources are available for mass custody transport and processing.
- e. Containment of crowd: When tactically feasible, perimeters can be established to contain or direct the crowd.
- f. Dispersal: Crowds should not be dispersed unless there are reasonable and articulable factors justifying the order in accordance with law. Before giving

the order to disperse, the IC must consider whether dispersal unduly endangers the public, police or participants in the crowd. If the IC directs a crowd to be moved by the use of force, information regarding time to disperse, consequences of a failure to disperse, and a clear route for individuals, will, when feasible, be provided and announced in the same manner as the order to disperse. The crowd dispersal may be accomplished using any of the following techniques and tactics:

1. Mobile Field Force tactics. Skirmish line of members with batons at the ready. If physical resistance to the dispersal is encountered, members may use batons to push crowd in direction of the dispersal.
2. Dispersal arrests: The IC may direct arrests of individuals who engage in resistance to the dispersal (this tactic is resource intensive and should generally be used at the direction of the IC).
3. Use of pepper spray: Targeted application of aerosol agents may be used against specific individuals who are reasonably perceived to be attempting to cause physical harm to any person or threatening imminent physical injury to any person, engaged in looting or the destruction of property, or displaying intent to engage in physical resistance to a lawful police order. Broadcast spraying of pepper should be avoided unless there is a crowd surge that threatens to overcome police lines.
4. Impact munitions: When used as a dispersal technique, impact munitions will be deployed at the direction of the IC, unless there is exigency to prevent imminent injury to a person or destruction of property.
5. Riot control agents: Riot control agents may be used in circumstances where the crowds have been resistant to a dispersal order and have engaged in violent behavior such as throwing items at police, attacking uninvolved citizens or vehicles, or engaged in widespread property damage. Use of riot control agents will be at the direction of the IC. Only qualified personnel will deploy the riot control agents. It is the responsibility of the IC to notify Bureau personnel to don protective breathing equipment or to evacuate. The IC shall consider the physical environment, weather, number of persons involved, especially innocent bystanders, prior to deploying riot control agents.

Prohibited Techniques (635.10)

The following techniques are prohibited in crowd management/crowd control situations:

- a. Use of fire hoses.
- b. Canine Units.

Reporting Requirements (635.10)

If arrests are made, or force is used during a crowd event, the IC shall submit a special report which describes the context and conditions that led to the police action. Members who use force will document the incident as outlined in DIR 1010.20. Supervisors who direct crowd dispersal or arrests will also

complete a special report that describes the context and conditions. These reports will be completed prior to the end of shift. A delay of up to 24 hours may be authorized by the IC. This reporting requirement is separate from the After Action requirement. The CCIC or designee will ensure coordination with the District Attorney's office where arrests were made.

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Author:

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Summary:

This policy is taken from the Denver, Colorado, Police Department Operations Manual. The Denver Police Department policy regarding crowd management is to apply the appropriate level of direction and control to protect life and property, maintain public peace and order and to uphold constitutional rights of free speech and assembly.

Document Text:

Denver Police Department
Operations Manual

100.00 - Patrol Division and General Procedures

108.00 - Emergency Procedure Plan

108.08 Crowd Management Policy

(1) Policy

a. The Denver Police Department policy regarding crowd management is to apply the appropriate level of direction and control to protect life and property, maintain public peace and order and to uphold constitutional rights of free speech and assembly.

(2) General Principles

a. The Denver Police Department will seek to improve its ability to manage crowd control events through study of its past experiences and evaluation of incidents occurring in other jurisdictions. Training in crowd management is crucial and shall be an ongoing process. The department's philosophy is to fine-tune procedures and training in order to improve preparation for and response to future events. Consistent with this philosophy a manual will be

developed to address various scenarios that may arise in crowd control situations, as well as options for dealing with them.

b. Though no single method of dealing with crowds can be universally effective, the principle of establishing contact and communication with the crowd will be embraced by the Denver Police Department.

When dealing with planned events, frequent meetings with sponsors and group leaders are encouraged. In unplanned events, when possible uniformed officers will attempt contact with the group. Despite this philosophy, it is understood that some situations are not conducive to conciliation, and immediate control procedures must be employed. Incident Commanders have the responsibility and discretion to evaluate a situation and act accordingly.

c. Police personnel must maintain professional demeanor, despite unlawful or anti-social behavior on the part of crowd members. Unprofessional police behavior can inflame a tense situation and make control efforts more difficult and dangerous. Strong supervision and command are essential to maintaining unified, measured and effective police response. A team work-based response with strong leadership is key to maintaining control and safety. Impulsive actions by involved officers are to be avoided.

d. Identification of areas where the crowd is to be located should be done as soon as possible.

Rather than trying to move a large crowd, it is better to place them in the proper location from the start of an event. When possible, police officers should be at their posts well in advance of arriving citizens.

e. Lines of control should be established, especially in events that involve protestors. Whenever possible, hostile factions should be separated.

f. Considering the type of crowd involved is an important factor in responding properly to its behavior. Crowds may vary from cooperative or celebratory, to non-compliant and hostile or combative.

(3) Definitions

a. Command Post:

An area designated for the overall control and management of a particular event or incident. Generally it should be within a short distance of the incident, but not within view of crowd participants, or so close as to be adversely affected by the event. Senior ranking officers shall be stationed at the command post. When possible, the Incident Commander will manage an incident from the command post, but is not precluded from responding to the scene to observe the event.

b. Crowd Management:

Techniques used to manage lawful public assemblies before and during the event for the purpose of maintaining their lawful status. This can be accomplished in part through coordination with event planners and group

leaders, permit monitoring, and past event critiques.

c. Crowd Control:

Techniques used to address unlawful public assemblies, including a display of formidable numbers of police officers, crowd containment, dispersal tactics, (Field Force and Mobile Field Force), and arrest procedures, (isolated events or mass arrests).

d. Incident Commander:

The ranking officer at the scene or en route is responsible to take command of the incident. The Incident Commander (IC) retains overall control of the scene until an announcement over the police radio that a higher-ranking officer is assuming command. Any officer who assumes command must be either present, at the command post, or en route. Personnel responding from other districts, bureaus and units are under the direction and control of the Incident Commander.

e. Inner Perimeter:

A line of control established to contain a crowd or special event to facilitate order maintenance, crowd control and public safety.

f. Outer Perimeter:

The area surrounding the inner perimeter that provides pedestrian and vehicular traffic ingress, egress and parking.

g. Planned Event Coordinator:

A police officer generally of supervisory or command rank designated to plan and coordinate crowd management tasks for a given event. This officer may also serve as an advisor or commander.

h. Spontaneous Event or Incident:

An unplanned or unforeseen event or incident that may create a risk to public safety, peace and order, or damage to property. Such incidents may include but are not limited to crowd disorders, incidents at schools, transportation accidents, bombings, explosions, disasters, major fires, labor disputes, celebratory crowds and organized protests.

i. Scheduled Event:

An activity involving large numbers of people that requires a permit or is planned and publicized beforehand. Such occurrences may include but are not limited to parades, concerts, religious gatherings, parties, community activities, sporting events, and demonstrations.

j. Staging Area:

A site selected for the staging of police and emergency personnel. Generally,

it should be a short distance from the incident, but ideally not within view of the crowd or event participants. It should allow sufficient space for cars, equipment, personnel, and security.

(4) Responsibilities of Planned Event Coordinator

- a. Gather and analyze information about future crowd events, including review of information from both internal and external sources.
- b. Coordinate with the city permit department and various police department sections, including divisions, districts, bureaus, and special units to prepare for a planned special event.
- c. Meet in advance with event sponsors and group leaders to exchange information and to present the police department's philosophy and intent. Details of the department plan and preparation shall not be disclosed except when necessary to ensure success of the operation.
- d. Coordinate affected divisions, districts, bureaus, and special units to prepare an operational plan for a given event that details assignments, traffic and crowd flow, communications, tactics and training.
- e. Ensure that appropriate equipment is available.
- f. Provide periodic updates to middle and/or senior command staff regarding the status of an upcoming crowd event.
- g. If present at the scene of a crowd event, evaluate the potential for violence and/or unlawful behavior.
- h. Gather post-event information from the affected department divisions, districts, units, and bureaus. Prepare a written critique of the police department's preparation and performance in a given crowd event, including a breakdown of expenses. Present findings and recommendations regarding policies, procedures, training and expenses.
- i. Maintain records of the police department's response to crowd events with the intent to revise and fine-tune policies, procedures and training. When appropriate, arrange for the use of videotape equipment to record crowd behavior and police response.
- j. Provide or recommend and arrange training as needed to various sections of the police department.

(5) Responsibilities of Incident Commander

- a. The senior ranking officer in the district shall respond to the scene of spontaneous events when practical, and take command of the incident. This person will be the Incident Commander (IC) until relieved by a higher-ranking officer. The IC shall declare over the police radio that he or she is in command. When practical, a command post shall be established as soon as possible.

b. The IC of planned events shall be responsible for the overall coordination of the event, as well as crowd control.

c. The IC and supervisors shall make every effort to ensure that the police response does not exacerbate the situation. The police response will be commensurate with the overall threat if any, to public safety, order maintenance, life and property. The least police intervention needed to address a particular incident shall be deemed most appropriate. This does not preclude police officers from taking appropriate action to direct crowd and vehicular movement, enforce ordinances and statutes and employ the physical force necessary to maintain the safety of the public and emergency personnel.

d. An immediate assessment of the situation is essential for effective police response. The Incident Commander must ascertain the following information at the earliest possible time.

1. The location and type of event
2. Are a large number of the crowd participants behaving unlawfully?
3. Are there a limited number of specific individuals engaged in unlawful conduct?
4. Is there a likelihood that the unlawful behavior will spread to other crowd participants?
5. Immediate threats to the safety of the public and/or police officers
6. The structure or vehicle(s) involved
7. The size of the involved area
8. The number of additional officers and police resources needed as well as requirements for specialized units (Traffic, Metro/SWAT, Gang Bureau, etc.)
9. The manner of response (Code 9 or 10)
10. Location for a Staging Area
11. Location for a Command Post
12. Location for a media staging area controlled by a P.I.O. or designee.
13. Ingress and egress routes
14. Additional resources needed (paramedic, fire department, barricades, sheriff's buses, command post van, etc.)

e. Purported First Amendment activities will be evaluated by the Incident Commander, to determine lawfulness of the actions by groups and individuals. Specifically, actions and speech protected by the First Amendment include such things as rallies, marches, parades, and leafleting. Actions or behavior which involve trespassing, destruction of property, disruption of transportation, unlawful use of amplification devices, assaults and disturbances of the peace are not protected by the First Amendment. When appropriate, the City Attorney's Office may be contacted concerning First Amendment issues.

(6) Police Response

a. Spontaneous Events or Incidents:

1. Rescue: The rescue of endangered innocent citizens or officers is a priority. The Incident Commander and/or supervisors must take necessary steps to

effect the rescue of trapped or endangered officers and citizens. Once accomplished, police personnel may be directed out of the immediate area if their numbers are insufficient to maintain control of a given crowd. Effective police action will be taken as soon as adequate resources are available.

2. Isolation: A perimeter to contain the incident shall be established as soon as possible.

The Incident Commander and supervisors will ensure that responding officers have clear ingress and egress. Clear instructions will be given via police radio to responding personnel. Depending on the circumstances, both inner and outer perimeters may be established.

a Officers posted on perimeters must be given clear instructions regarding:

1. The movement of vehicles and pedestrians
2. Whether persons will be allowed to leave the secured area via a designated route or method
3. How and where individuals or groups are to be evacuated

b Ensure that sufficient resources (personnel, barricades, crime scene tape, etc.) are on hand to maintain the integrity of a perimeter. Do not initially establish a perimeter so large that it cannot be secured. As additional resources become available, the perimeter may be expanded.

3. Communication with participants: In some crowd situations, contact with formal or informal leaders can be established, either in person or by amplification. Police personnel shall not penetrate an obviously hostile crowd solely for the purpose of communication. When possible, clear instructions shall be communicated to the crowd. Unless there is an immediate risk to public safety, or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with police commands before action is taken. The Incident Commander and supervisors are responsible to ensure that all orders given to a crowd are consistent, lawful, and appropriate for the circumstances. Lower ranking officers may also issue individual orders, consistent with the orders of the Incident Commander, to ensure the immediate protection of themselves, others, or property.

4. Intelligence: Observation posts may be established at the discretion of the Incident Commander and supervisors. In addition, plainclothes officers may be used to assess the overall behavior and disposition of a crowd.

5. Control/Enforcement Actions: The Incident Commander shall make the final decision as to what control action, if any, will be taken to address a given crowd situation. The police response will be appropriate for the degree of violence, disorder, criminal conduct, and perceived threat to public safety, order maintenance, life, and property. Crowd size and available department resources will also factor into the police response. Uncoordinated actions or actions by individual officers shall be avoided. The below listed factors will be considered prior to determining a course of action.

b Will police action likely improve the situation?

- c Will targeting specific violent or disruptive individuals for arrest be more effective or appropriate than applying control tactics to the entire crowd?
- d Are sufficient resources available to effectively manage the incident (personnel, tear gas, scout cars, etc.)?
- e Have clear and secure escape routes been established for both the crowd and the police?
- f Has communication been established with the crowd (loudspeaker, personal contact, etc.)?
- g Have backup plans been considered in the event initial police efforts are ineffective?
- h What less-lethal crowd dispersal options consistent with the Use of Force policy are available?

(7) Scheduled Special Event or a planned special event involving potentially large crowds, the police department will:

- a. Planning: Upon notification, develop an action plan at the earliest possible time. The police department's plan shall include input and participation from all affected districts, bureaus, and units. This plan will be a written document approved by the Division Chief of the affected division. Coordination of efforts is essential. A written event plan shall be completed and distributed to the affected districts, bureaus, units, and outside agencies well in advance of the event. The following factors will be considered and addressed by personnel developing the action plan for a large crowd event. Information gathering is essential.
- b. What type of event is to occur? Parade, concert, sporting event, community gathering, protest, etc.?
- c. Identity of the organizers. What is their past record of conduct (peaceful, violent, cooperative, etc.)?
- d. Will outsiders visibly and/or physically oppose the planned event?
- e. Will the event involve the use or abuse of alcohol or other substances?
- f. Where is the event to occur? Consider the size, location, ingress, and egress points.
- g. What is the optimal site for a command post as well as a staging area should personnel be needed to quell a disturbance or control the crowd.
- h. Have the appropriate permits been issued?
- i. Have other agencies, bureaus and divisions been notified and included in the planning process (paramedics, fire department, communications bureau, etc.)?

- j. Will the EOC be needed?
- k. Will off-duty personnel be involved? Has the commander of off-duty personnel been made part of the planning process?
- l. Is it possible and appropriate to coordinate with group organizers and explain the police department's mission, preparation and potential responses? Information considered sensitive or confidential shall not be released to group organizers if it will jeopardize the safety or effectiveness of police personnel.
- m. Have the proper number of personnel been scheduled to safely handle the event? Should a reserve force be available?
- n. Has an enforcement policy been formulated and communicated to affected personnel?
- o. Training: When practical and appropriate, personnel preparing for a large event with the potential for violence shall be retrained, to include physically practicing various aspects of crowd management. Topics may include but are not limited to Field Force, Mobile Field Force, mass arrest procedures, functioning in a tear gas environment, use of non-lethal weapons, applicable ordinances and statutes, protected speech, etc. Drills may be scheduled to measure the effectiveness of assigned personnel. The results will assist in structuring or revising future training.
- p. Briefing Report: A written briefing document will be prepared, detailing the objectives of the operation, radio talk-groups, IC and CP telephone numbers, etc. Personnel shall be briefed on their particular assignments before deployment. Instructions shall be communicated to all officers so that confusion is minimized. Information shall be shared with police personnel as far as possible. Specific instructions covering topics such as applicable laws, community concerns, appropriate enforcement actions, chain of command, tactics, traffic patterns, etc., shall be clearly presented to officers. The duties and responsibilities of personnel staffing the command post or OEM shall be defined and communicated. Duplication of efforts and the resulting confusion are to be avoided. Personnel shall be given the necessary authority to carry out their respective missions. Conflicting orders and violations of established lines of authority are to be avoided.
- q. Deployment: Personnel shall be deployed to their posts or staging areas with sufficient time before the start of the scheduled event. Supervisors shall ensure that their personnel are punctual and properly equipped. Equipment considerations may include portable radios, batons, mace, helmets, face shields, etc. Supervisors shall also ensure that their personnel are relieved at appropriate intervals.
- r. Communication: Sufficient radio talk groups will be dedicated to the event. The Communications Bureau must be included in the planning process, and a determination will be made as to whether a dispatcher will manage or monitor.
- s. Talk Groups: Commanders and supervisors shall ensure beforehand that all radios are equipped with the necessary talk groups. Assisting agencies with a

need to communicate on Denver Police channels may be issued radios on an as-needed basis.

t. Scenario Options: Personnel creating a plan to address a large crowd event should anticipate a variety of scenarios and devise a police response for each. Such scenarios and responses should be made part of the final plan and communicated to the affected personnel. Consideration should be given to potential worst-case situations.

u. Response to outbreaks of violence or disorder: The same considerations listed in the spontaneous event section shall apply to outbreaks of violence and disorder at scheduled events. The overall Incident Commander shall have the final decision as to what level of police intervention is employed to address a large scale outbreak of violence or disorder.

This shall not preclude actions consistent with orders of the Incident Commander taken by individual commanders, supervisors, and officers to defend themselves or others from imminent harm.

(8) Crowd Control Methods

a. Preferred Response: The preferred police response is one of management rather than control. Nevertheless, control plans should be in place with the option of immediate application if the need arises.

b. Tactics: The following tactics are authorized to address crowd control situations. The general order of application is fluid (escalation and de-escalation) and will change based on the control required, consistent with the department policy of using the minimal police intervention needed to address a crowd management issue.

1. Isolation of the crowd
2. Display of police officers (forceful presence)
3. Order for crowd to disperse
4. Selective arrests
5. Multiple arrests
6. Dispersal (Field Force, Mobile Field Force), tear gas, less-lethal weapons

c. Delineation: Lines of demarcation between authorized and unauthorized civilian areas should be established.

d. Isolation of the crowd: To the degree possible, inner and outer perimeters will be established to isolate the crowd from other geographic areas, persons and vehicle traffic.

e. Assignments: Generally, officers should be assigned to squads of sufficient size to be effective. At larger events, the crowd can be divided into quadrants with a commander in charge of each one.

f. Display of Police Officers: Once this tactic is selected, officers should be assembled in formation at a location outside the view of the crowd. The formation may be moved as a unit to an area within the crowd's view.

1. This tactic should not be used unless there are sufficient personnel to follow through with dispersal. Do not bluff a crowd.

2. If a display of police officers combined with a dispersal order is not effective, more forceful actions may be employed.

g. Orders to Disperse: A loudspeaker or public address system should always be used to increase the likelihood that all crowd members can hear police commands. It is recognized that some crowds are so noisy that loudspeakers may be ineffective. When confronting an unlawful or dangerous crowd, orders to disperse should be made. An order to disperse should not be made unless supported by an applicable municipal ordinance or state statute. The order should be publicly announced as follows:

"I am (name and rank) of the Denver Police Department. All persons assembled are in violation of (City ordinance or state statute -- stated in general terms). In the name of the people of the City and County of Denver, I command all of you to disperse. Failure to disperse will subject each of you to arrest and prosecution. The time is ..." (Message does not have to be verbatim)

Establishing points of ingress and egress are essential for the safe and efficient dispersal of crowds. Once dispersal begins, the IC and supervisors must ensure, if at all possible, that clear instructions are given to crowd participants regarding their movements. It is recognized that some crowds may be so violent or uncooperative that clear communication as well as points of egress cannot be established.

h. Arrests:

1. When the only violation present is unlawful assembly, the crowd should be given an opportunity to disperse rather than face arrest. The IC should make an effort to communicate with crowd leaders to explain the violation(s) being committed. If the unlawful behavior is corrected and the Incident Commander is satisfied that there is no longer a threat to public safety, no further action may be necessary.

2. When arrests are necessary, the IC shall ensure that sufficient numbers of police officers are on hand to effect individual or multiple arrests. This tactic can be effective in dispersing the remaining crowd members. Incident Commanders must use discretion in committing arrest teams to penetrate hostile crowds. The safety of police personnel must be considered.

i. Dispersal: The following physical tactics can be employed individually or in combination, to disperse a crowd. The order of application is fluid, (escalation and de-escalation), and will change based on the control required, consistent with the department policy of using the minimal police intervention needed to address a crowd management issue.

A staging area must be established and officers must function as a team under the control of the Incident Commander. The mission is to disperse the crowd as safely as possible. Dispersal tactics may include:

1. Skirmish line (Field Force)
2. Deployment of tear gas
3. Deployment of less-lethal (pepper ball, bean bag, M-26 Taser, etc.)
4. Mobile Field Force

(9) Reporting

The Incident Commander shall ensure that an After Action report is completed for either a planned or spontaneous event, in addition to any other required reports, (Use of Force, Employee Injury, etc.). The Incident Commander shall also ensure that superiors are notified of the incident in a timely manner. The severity and swiftness of the event may dictate when this can be accomplished.

(10) The Denver Police Department's Crowd Control Manual can be found attached to Department Directive 04-05 for further tactics and strategies.

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POLICY
445

EFFECTIVE
DATE
092215

Eugene Police Department



Body-Worn Video

445.1 PURPOSE AND SCOPE

The appropriate use of an audio and video recording can provide valuable documentation of police officer interactions with members of the community. Audio and video recordings can be objective evidence to document criminal and traffic violations, enhance officer safety, provide a record of police officer interaction with persons who are stopped, and can assist in the timely resolution of inquiries and complaints. Nothing in this policy is intended to require an action that would compromise the safety of an officer or endanger a member of the public. This policy governs only the use of Body-Worn Video camera systems by Eugene Police Department members. For In-Car Video systems, see *Policy 446 – In-Car Video*.

445.2 DEFINITIONS

Audio/Video Recording: A term used to describe an audio and/or video image captured through the use of a Body-Worn Video system (BWV).

Activate: To cause a video or audio recording to be made through an ICV, BWV system.

Officer: For the purposes of this policy, Officer means any sworn member of the department who is authorized or required to wear a BWV system, regardless of rank.

445.3 PROCEDURES

Safety of the officer and the public are always the primary considerations when contacting people, vehicles or investigating suspicious conditions. The ability to record is based upon the totality of the circumstances.

Officers will not provide narration or dictation of their actions to the camera. Detailed police reports are still required, even when a camera witnesses the events. Police reports are the appropriate place to document the totality of the circumstances as the officer sensed and observed at the time of the incident.

445.4 BODY- WORN VIDEO SYSTEMS

Before going into service any officer equipped with a BWV system will properly equip him or herself to record audio and video in the field. Ensure the BWV system is functioning properly and check to ensure:

- a. Proper power
- b. Correct date and time stamp
- c. Correct camera orientation and freedom of obstruction

d. System records both audio and video information

Any damage to the BWV system that prevents or encumbers its intended usage or capabilities will be reported to a supervisor who will report the damage through *Blue Team* and ensure the system is turned in for maintenance and returned to full function. If the BWV system malfunctions during a shift, the officer will notify a supervisor as soon as possible. No officer may attempt to alter, erase, modify, or tamper with data recorded by the BWV system.

At the end of the officer's assigned shift, he or she will follow the established procedures for uploading the captured video and audio images from their BWV system and make the images available for Department use. Upload will be conducted unless a supervisor approves of holding the upload until the next work period. Officers should review recordings of enforcement contacts when that review will help you prepare a written report.

445.5 PRIVACY AND ADVISEMENTS OF RECORDINGS

Community members *do not* have a reasonable expectation of privacy when talking with a police officer during the scope of the officer's official duties, even when contact occurs in a private residence. If the incident meets the requirements for utilization listed in §445.7, a recording should be maintained; a recording will not be terminated simply at the demand of a community member.

Pursuant to ORS 165.540(1)(c), officers are required to provide notice the recording of voices and visual images are being made as soon as practicable; record this advice when possible. The only exception is when the recording is at a public meeting or rally, provided that the recording device is unconcealed.

Protecting the privacy of an undercover officer or a confidential informant, articulable officer safety concerns or exigency to act before a recording can be made are the only approved exceptions to not make or stop a recording.

445.6 REDUNDANCY OF BWV AND ICV SYSTEMS

Body-Worn Video and its complimentary system, In-Car Video, capture the most information available for investigators and the courts when they are used in conjunction. However, there are times when not at the end of an incident whereby one of the two systems is recording superfluous information and may be turned off. There are no clear and bright lines dictating all circumstances when one system may be shut off; however, officers are allowed to select one of the two systems in situations where the camera view or information the camera would capture will not assist in the investigation or recreation of the incident. Examples would be an officer shutting of his or her ICV after the contact has made it well away from the police vehicle and all the ICV camera would capture is an uninvolved street scene or wall, or an officer temporarily turning off his or her BWV to drive a custody to jail and all the BWV system would capture is the officers view of the steering column and traffic.

445.7 UTILIZATION REQUIREMENTS FOR BWV SYSTEM

Officers must use the BWV system to record any of the following for its entire duration:

- a. Situations which officers have reasonable suspicion or probable cause that a person they about to contact has committed or is about to commit a crime/violation. The camera must remain on until the contact has concluded.
- b. Stops for violations of the Oregon Vehicle Code (defined by ORS 810.410) whether it is for a vehicle (defined by ORS 801.590) or pedestrian.

- c. Investigative encounters with suspects, victims or witnesses.
- d. Consensual encounters where an officer reasonably knows he or she will attempt to develop a reasonable suspicion of criminal activity about the subject encountered.
- e. Situations when a person is in custody and is either being detained or transported in the patrol vehicle. *This includes detentions in handcuffs while investigating whether or not a crime(s) have occurred.*
- f. Any contact you are directed to record by a sworn supervisor.

You may, at your discretion, also record:

- a. Other official law enforcement contacts (e.g., non-enforcement-related street encounters).
- b. Transport of a person not in custody.
- c. Stranded motorist assists.
- d. Any other duty-related activity, situation, or event which you believe, based on your experience and training, should be audibly and visually recorded
- e. Officers are strongly encouraged to record any encounter that does not meet the criteria of 445.7(a) thru 445.7(f), but where a person encountered directly alleges the contact, failure to provide police service, or investigation into that person is based upon bias by the officer.

Make every reasonable effort to use the BWV system to capture events accurately and thoroughly, and always begin the recording as soon as practicable.

Once recording is initiated, do not terminate video and audio recording until the event is complete, except for the circumstances listed in this policy. For purposes of this policy, an incident is considered complete when a reasonable person would consider the incident to have reached a logical ending. You may terminate the recording before the incident is complete only:

- a. In an extended situation if you reasonably believe there is no value in collecting further data (e.g., traffic control at an accident scene).
- b. To protect the anonymity of a confidential informant, undercover officers, or other confidential information sources.
- c. Under circumstances where technical difficulties render the system inoperable; or
- d. If a supervisor directs that the recording is discontinued.

If you discontinue recording before an incident is complete, verbally record your reason for discontinuing the recording. If the recording is discontinued and you cannot record that fact, send an e-mail to your supervisor prior to the end of your watch outlining the reason the recording was terminated and the incident for which the recording was incomplete (including the date and time of the incident).

When uploading the BWV data, Officers should select the most applicable category for their video and enter the incident number with year. No hyphen between year and number is necessary.

If a BWV recording captures images of a reported incident use the marginal heading of **BWV**, and include your user ID (e.g., CEPDMRL), and the exact date and time the recording was made, using the time stamp from the video file database in your report. Make every reasonable attempt to list all files recorded if multiple ICV or BWV-equipped units were recording a scene or event.

446.5 AUDIO & VIDEO RECORDINGS USAGE

446.5.1 COURT PROCEEDINGS AND ADMINISTRATIVE INTERVIEWS

Flag any incident for which you believe all or some of the recorded data should not be released due to its sensitive nature (e.g., sensitive intelligence data, revealing identity of confidential informant) or of any recorded incident which might be valuable for training purposes.

Prior to testifying in a court case where recorded data will be offered as evidence, you are encouraged to review the recording to ensure that it represents a true and accurate depiction of the incident (or portion thereof) which was recorded.

An employee who is to be interviewed by a supervisor about an incident which has been recorded by BWV will be afforded the opportunity to review applicable video files prior to being interviewed.

446.5.2 TRAINING AND PUBLIC RELEASES

If recorded data is to be used for training purposes beyond a review by the involved employee(s), the person intending to use the data will ensure that any involved employee is notified of the intent to use the data for that purpose, and given the opportunity to raise an objection to such use. If an objection is raised by an involved employee, the ultimate decision as to whether or not to use the involved data will rest with the Chief of Police or designee. For purposes of this policy, "involved employee" means an employee who is individually identifiable.

If public records request for recorded data is received, the department Public Records Coordinator or designee will follow release guidelines in the Oregon Public Records Law including changes made to state law by House Bill 2571, (1) that it must be for an event for which there is public interest. 2) the request must be for an approximate time or event. 3) The request must be tailored to the relevant video of the event. 4) All faces must be rendered unidentifiable (blurred) prior to release) conferring as necessary with the Chief of Police. A reasonable attempt will be made by the releasing person or designee to notify any involved employee(s) prior to release of the information.

If the release of the recorded data is initiated by the department, these guidelines will be followed:

- a. If the release is being made to enlist the public's assistance in an ongoing investigation, the decision to release will normally be made by the lead investigator. A reasonable attempt will be made by the lead investigator or designee to notify any involved employee(s) prior to the release.
- b. If the release is being made for another reason (e.g., as an example of exemplary work), the PIO or designee will ensure that any involved employee is notified of the intent to use the data for that purpose, and given the opportunity to raise an objection to such use. If an objection is raised by an involved employee, the ultimate decision as to whether or not to use the involved data will rest with the Chief of Police or designee.

446.6 AUDIO AND VIDEO DATA MANAGEMENT

Video and audio recordings made using the BWV system will be safeguarded to ensure their integrity. Only designated department personnel will have access to the original BWV system digital file.

Any recording which is flagged as containing information relevant to a crime, violation, or actual or potential allegation of misconduct will be treated as evidence.

Recordings made are the property of this agency, and will not be released outside this agency except as authorized by Oregon Public Records Law, required by court order, otherwise provided for in this policy, or authorized by the Chief of Police or designee.

Recorded data will be maintained for at least the minimum length of time required by **OAR 166-200-0100**, and we will normally retain data for 190 days. Data from certain types of incidents will be retained for a longer period of time when needed.

Event	Description	# of Days retained
0	Default	190
ARR	PC Arrest	1465
CLC	CLC	1465
COL	Traffic Collision	190
DUI	DUII	1465
EMR	Emergency Response	190
HOM-SPC	Homicide Or Special Investigation	32767
MSC	Misc.	190
NCH	Non-Criminal Hold	190
PTR	Prisoner Transport	190
STB	Bicycle Stop N/E	190
STP	Person Stop N/E	190
STT	Traffic Stop N/E	190
UTC	UTC	366
VPR	Pursuit	1465
WAR	Warrant Arrest	190

446.7 SUPERVISORY RESPONSIBILITIES

446.7.1 PATROL SUPERVISORS

A supervisor has the authority to review recorded video of an incident involving an employee in his or her chain of command, or of an incident that he or she supervised, for purposes outlined in this policy. Field Training Officers may review recordings of their assigned recruit officer for training requirements and development.

If an incident discovered during video review is to be used as part of a formal evaluation of the employee, the video should be retained until the evaluation period is complete and used as part of the evaluation process.

Do not direct that the recording of an incident be discontinued, under the authority given in §445.7 of this policy, except at a point after the post-incident investigation has begun. (For purposes of this policy, this point is the point at which the incident has concluded, and department personnel have begun to perform follow-up or investigative activities relevant to the incident.) This should be done only in an exceptional situation where the value of continuing the recording is clearly outweighed by other factors in the particular situation.

When an incident arises requiring the immediate retrieval of recorded data, remove (or oversee removal of) the recording device and ensure that it is submitted to evidence or turned over to authorized investigative personnel.

446.7.2 INVESTIGATIONS SUPERVISORS

Investigations supervisors may review audio or video recordings relevant to an investigation being conducted. An investigations supervisor may also authorize a detective to review audio and video relevant to that detective's investigation.

446.7.3 BWV PROGRAM SUPERVISOR

The Program Supervisor will be assigned by the Patrol Division Manager and will ensure that procedures are in place and followed to ensure integrity of the original data submitted. He or she will stay abreast of changes in law, policy, and technology and will recommend changes when applicable. The program supervisor will also ensure that program technical staff completes the following:

- a. That authorized copies of recorded data are provided in a timely manner.
- b. Ensure that data is purged after they have surpassed their retention periods.
- c. That BWV equipment is repaired and serviced in a timely manner.

Chief Kerns' Report to the Police Commission



September 2015

Chief's Activities

- KUGN Radio UO Game Day PSA
- **Mental Health/Criminal Justice Coordination Meeting**
- Met with Opportunity Village members along with Pastor Dan Bryant
- **Poverty and Homeless Board Meeting**
- LECC Meeting at DPSST
- **Welcome Reception for UO President Michael Schill**
- Lunch with LifeChange Group at the Eugene Rescue Mission
- **UO Community Welcome to Students (Door to Door)**
- Monthly Radio Interview with KUGN
- **Met with ShelterCare Consumer Council**
- Spoke with the Eugene Area Chamber of Commerce

In the News



★ Police will be staffing full party patrols this weekend, beginning Friday

★ Police Successfully Locate Wanted Subject on Filbert

★ Justice Department Grant for Body Cameras

★ Police Respond to Loud Party on University Street

★ School Bus—Safety Enforcement

★ Suspect from Kennewick, WA Case Captured After Tenacious EPD Officer and Detective Follow-Up

★ Joshua Mark Mmari—48 Month Sentence

★ Man Charged in LTD Bus Bomb Threat

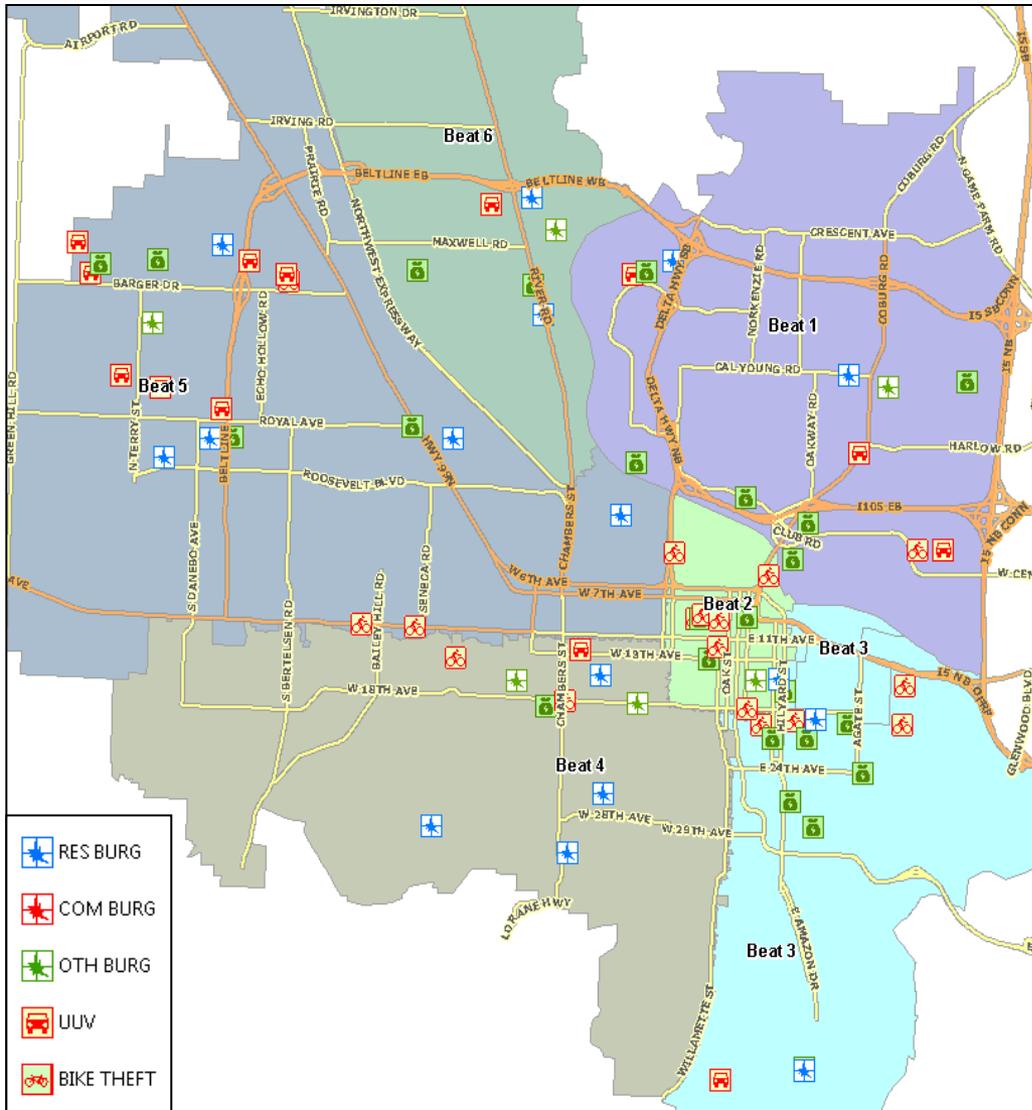
September 23, 2015

DLP Report:

- One- and Four-Week City Wide Slides
- MVA/TEU Activity
- Officer Activity
- West University Area of Focus

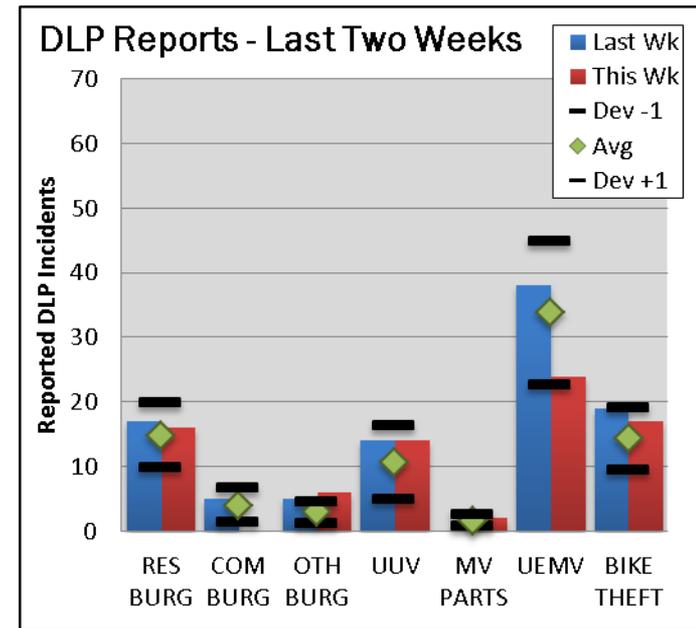
One Week City-Wide

PROTECT.SERVE.CARE.



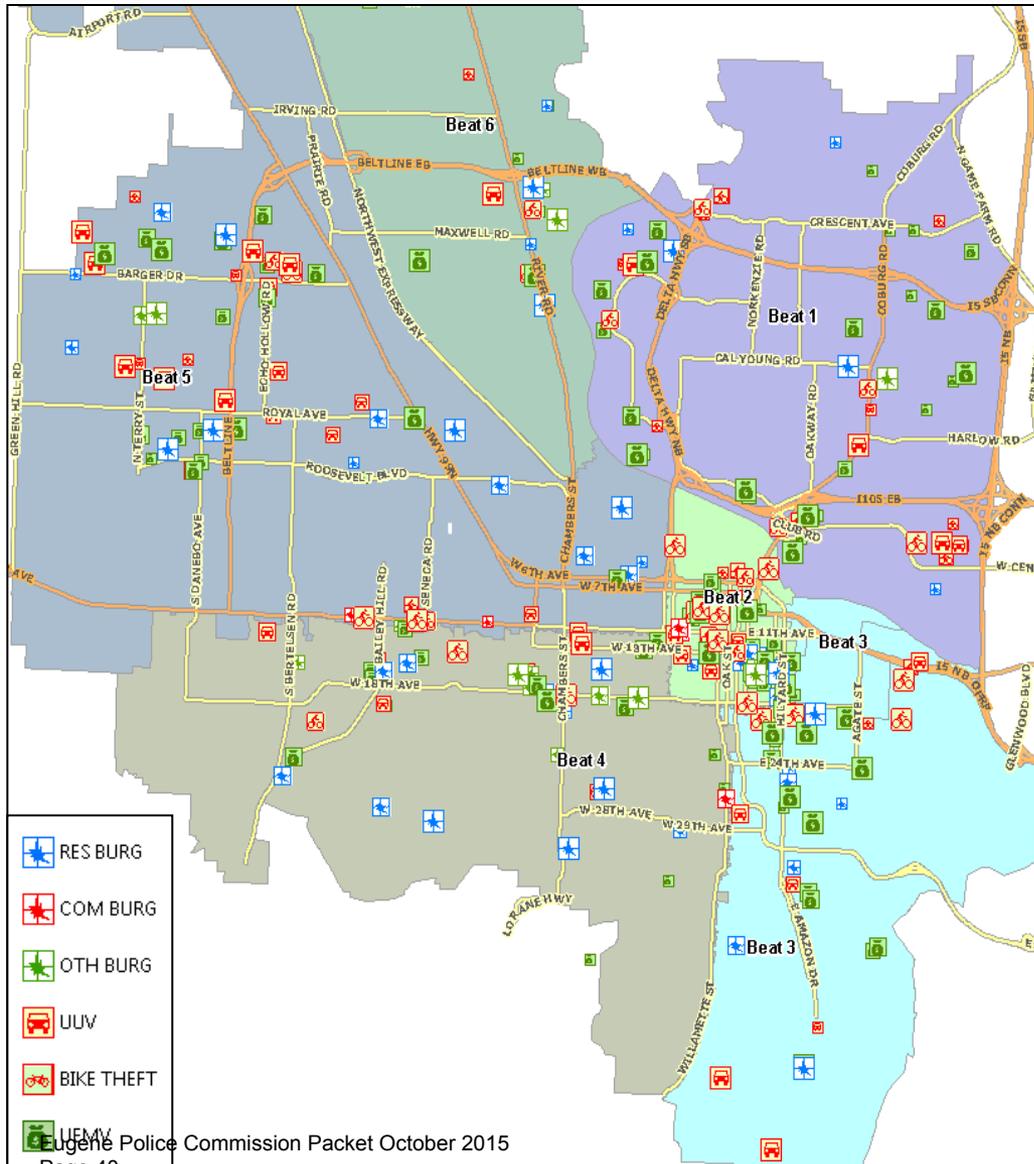
Urgent Police Commission Packet October 2015 on the 9-Log, 5 Clouts, 7 Bike Thefts
Page 39

	-1Dev	This Wk	Avg	+1Dev
Res Burg	9.9	16	14.8	19.8
Com Burg	2.6	0	4.0	6.6
Oth Burg	1.2	6	2.9	4.6
UUV	4.9	14	10.6	16.3
MV Parts	0.7	2	1.6	2.6
UEMV	22.7	24	33.8	44.8
Bike Theft	9.5	17	14.3	19.1
Total	63.2	79	80.8	98.4



Four Week City-Wide

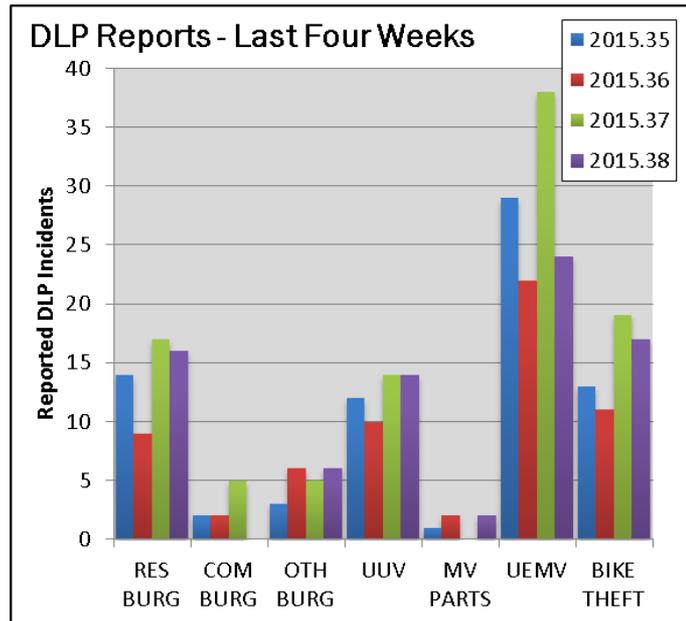
PROTECT.SERVE.CARE.



-  RES BURG
-  COM BURG
-  OTH BURG
-  UUV
-  BIKE THEFT
-  UEMV

Eugene Police Commission Packet October 2015

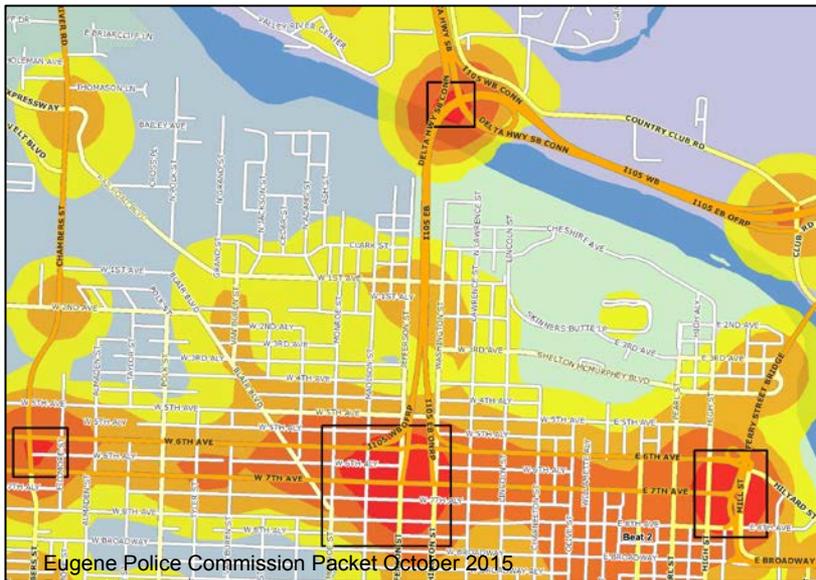
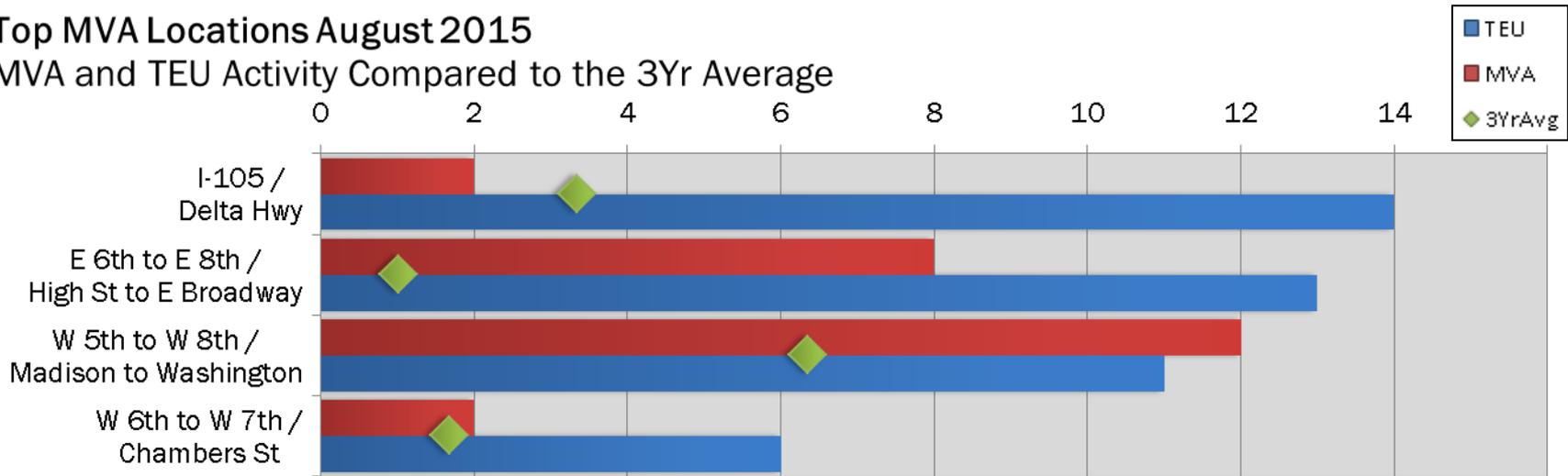
	YTD 2014	YTD 2015	Diff	%Change
Res Burg	582	594	12	2%
Com Burg	128	135	7	5%
Oth Burg	92	103	11	12%
UUV	406	393	-13	-3%
MV Parts	48	34	-14	-29%
UEMV	1145	1061	-384	-27%
Bike Theft	509	590	81	16%
Total	2910	2910	-300	-24%



MVA/TEU Activity: August 2015

Top MVA Locations August 2015

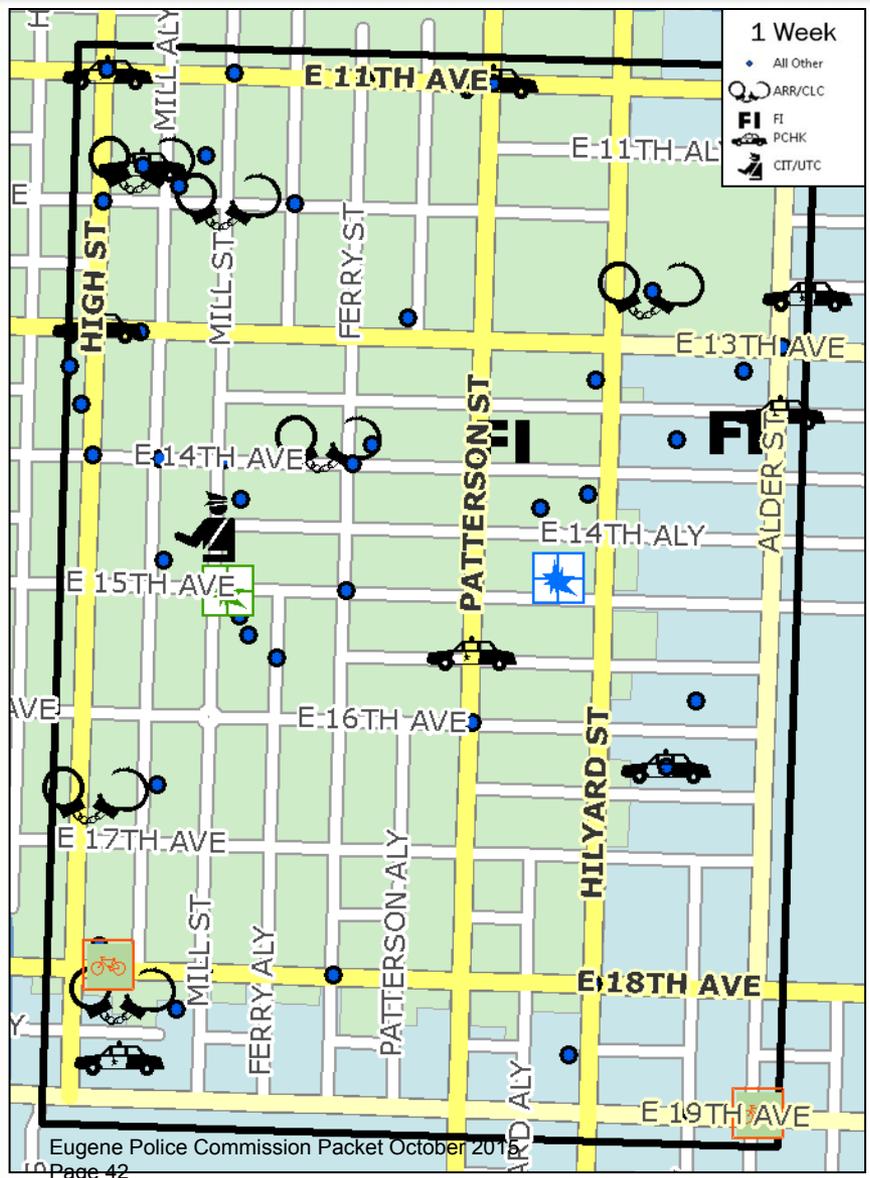
MVA and TEU Activity Compared to the 3Yr Average



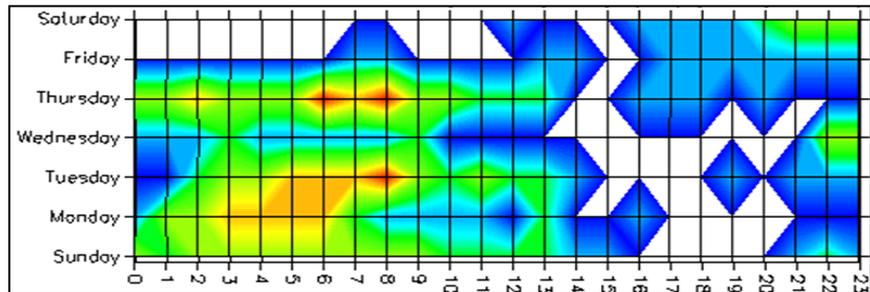
Location	August 2015				September
	TEU	MVA	3Yr Avg	Diff	3Yr Avg
I-105 / Delta Hwy	14	2	3.3	-1.3	1.3
E 6th to E 8th / High St to E Broadway	13	8	1.0	7.0	0.7
W 5th to W 8th / Madison to Washington	11	12	6.3	5.7	5.0
W 6th to W 7th / Chambers St	6	2	1.7	0.3	1.3
Total	44	24	12.3	11.7	8.3

Officer Activity: E11th Ave-E19th Ave/High St-Alder St

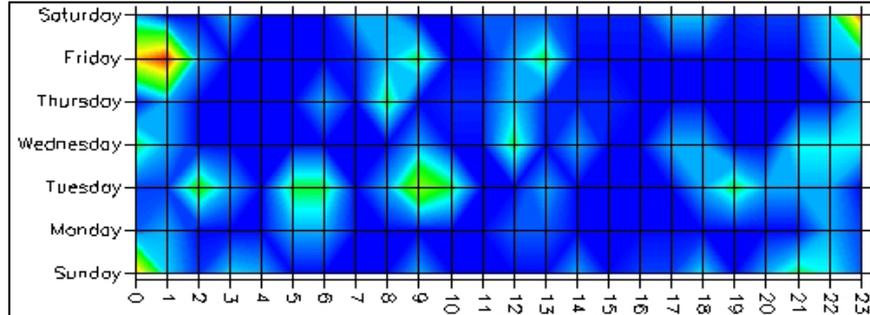
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DLP Incidents Time Analysis



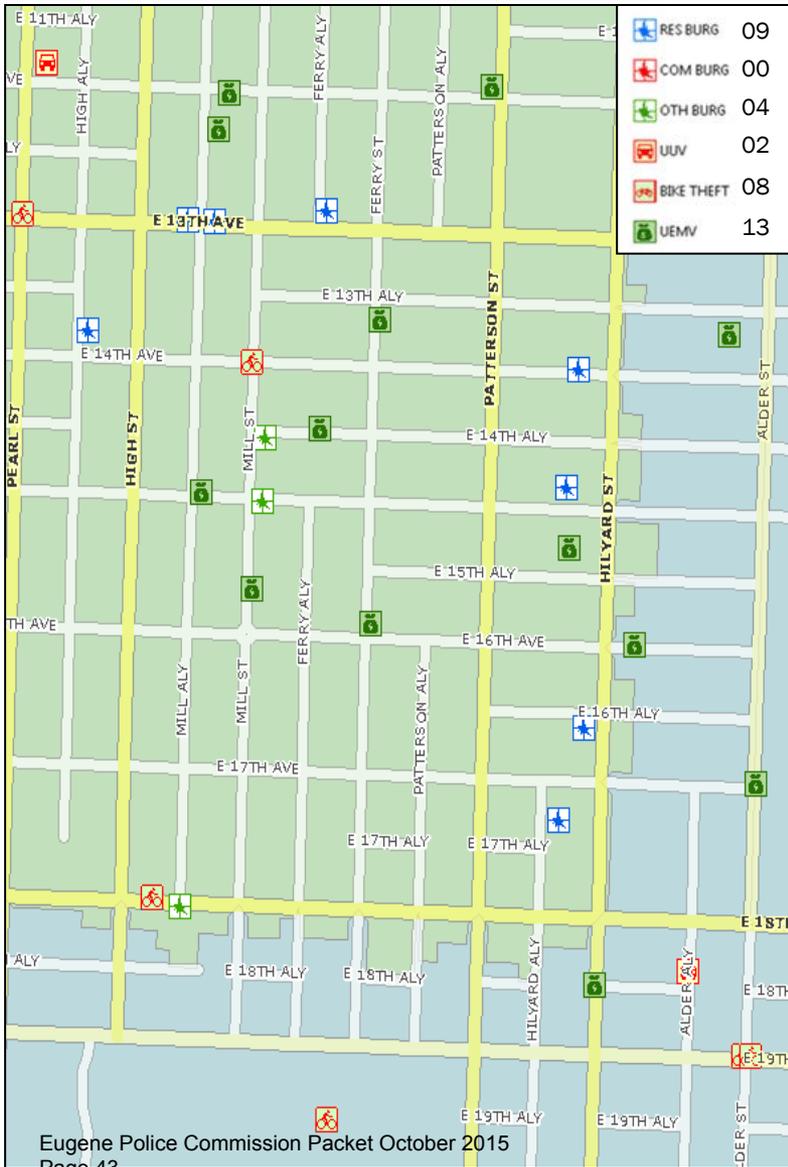
Officer Activity Time Analysis



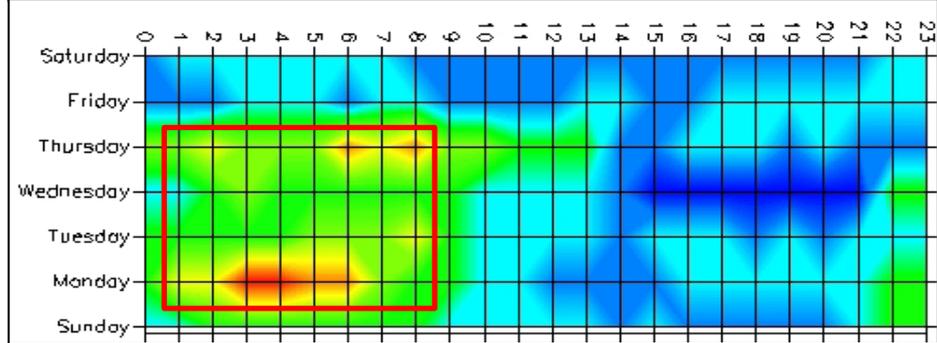
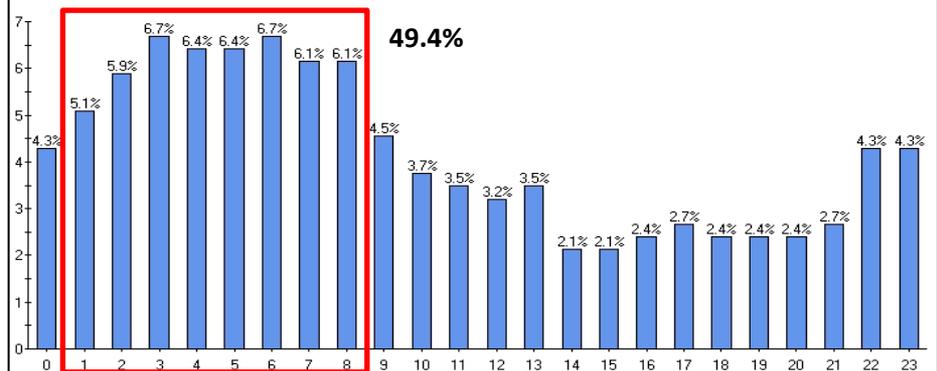
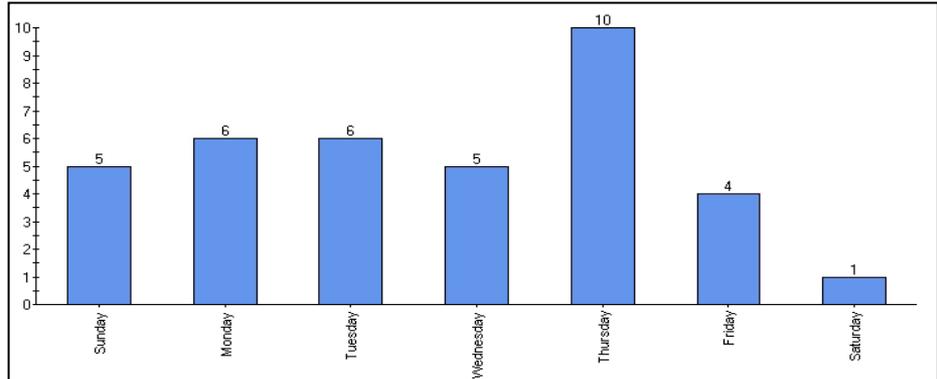
Dispo	Patrol	Cahoots	Downtown	Total
ASST	4	15	0	19
ADVI	11	0	2	13
WARN	5	0	7	12
PCHK	7	0	2	9
RSLV	8	0	1	9
REPT	6	0	0	6
ARR	4	0	0	4
CLC	1	0	2	3
FI	2	0	0	2
UTC	1	0	0	1
FUP	1	0	0	1
Total	50	15	14	79

Area of Concern

PROTECT. SERVE. CARE.



E. 12th Ave. to E. 19th Ave. / High St. to Alder St.



Looking Ahead

- 4th Annual Charity Golf Tournament for the Oregon Fallen Badge Foundation, October 9th
- **Tip a Cop, October 24th**
- Two call-takers started September 28th. Interviews for a separate call-taker process are underway
- **Police Officer Interviews scheduled for mid October**
- Limited-duration ECU Evidence Specialist is in final stages. Hire date will be late October.
- **One candidate for Animal Welfare Officer position will move to background phase**
- Posting for CSO A closes October 9th
- **VIP Program Senior Administrative Specialist posting closed September 25th**



The End

America's Safest City

The Most Professional Agency



To: Eugene Police Commission

Fr: Assistant Chief Karl Durr

Re: 21st Century Policing

Date: September 29, 2015

Enclosed, please find a recap of The President's Task Force on 21st Century Policing, which was released in May 2015. The full report is available online, at http://www.cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf.

This summary lists the six pillars which are foundational to the vision of policing in the 21st century. The strategies to achieve the vision and the strategies are under each strategy. The last two pillars are largely internal (employee training and officer wellness), and for brevity, only the strategies of those two pillars are highlighted in this summary. All action items are available in the full report.

The opening paragraph of the report's executive summary reads:

"Trust between law enforcement agencies and the people they protect and serve is essential in a democracy. It is key to the stability of our community ties, the integrity of our criminal justice system, and the safe and effective delivery of police services. ... The President charged the task force with identifying best practices and offering recommendations on how policing practices can promote effective crime reduction while building public trust."

EPD is reviewing and assessing this report to identify areas where the Department is already conducting best practices, and where opportunities for improvement can be found.

This presentation is intended to provide the Commission with a high-level overview, identify any areas of particular interest from the Commission, and answer any questions.



President's Task Force on 21st Century Policing

Pillar One: Building Trust and Legitimacy

Decades of research and practice support the premise that people are more likely to obey the law when they believe that those who are enforcing it have authority that is perceived as legitimate by those subject to the authority. The public confers legitimacy only on those whom they believe are acting in procedurally just ways

- 1.1. Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. Toward that end, police and sheriffs' departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizens they serve.
- 1.2. Law enforcement agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust.
- 1.3. Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.
 - 1.3.1. To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics.
 - 1.3.2. When serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly and neutrally, respecting areas where the law requires confidentiality.
- 1.4. Law enforcement agencies should promote legitimacy internally within the organizations y applying the principles of procedural justice.
 - 1.4.1. In order to achieve internal legitimacy, law enforcement agencies should involve employees in the process of developing policies and procedures.
 - 1.4.2. Law enforcement agency leadership should examine opportunities to incorporate procedural justice into the internal discipline process, placing additional importance on values adherence rather than adherence to rules. Union leadership should be partners in the process.
- 1.5. Law enforcement agencies should proactively promote public trust by initiating positive nonenforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.
 - 1.5.1. In order to achieve external legitimacy, law enforcement agencies should involve the community in the process of developing and evaluating policies and procedures.

- 1.5.2. Law enforcement agencies should institute residency incentive programs such as Resident officer Programs.
- 1.5.3. Law enforcement agencies should create opportunities in schools and communities for positive nonenforcement interactions with police. Agencies should also publicize the beneficial outcomes and images of positive, trust-building partnerships and initiatives.
- 1.5.4. Use of physical control equipment and techniques against vulnerable populations – including children, elderly persons, pregnant women, people with physical and mental disabilities, limited English proficiency and others – can undermine public trust and should be used as a last resort. Law enforcement agencies should carefully consider and review their policies towards these populations and adopt policies if none are in place.
- 1.6. Law enforcement agencies should consider the potential damage to public trust when implementing crime fighting strategies.
 - 1.6.1. Research conducted to evaluate the effectiveness of crime fighting strategies should specifically look at the potential for collateral damage of any given strategy on community trust and legitimacy.
- 1.7. Law enforcement agencies should track the level of trust in police by their community just as they measure changes in crime. Annual community surveys, ideally standardized across jurisdictions and with accepted sampling protocols can measure how policing in that community affects public trust.
 - 1.7.1. The Federal Government should develop survey tools and instructions for use of such a model to prevent local departments from incurring the expense and to allow for consistency across jurisdictions.
- 1.8. Law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities.
 - 1.8.1. The Federal Government should create a Law Enforcement Diversity Initiative designed to help communities diversify law enforcement departments to reflect the demographics of the community.
 - 1.8.2. The department overseeing this initiative should help localities learn best practices for recruitment, training and outreach to improve the diversity as well as the cultural and linguistic responsiveness of law enforcement agencies.
 - 1.8.3. Successful law enforcement agencies should be highlighted and celebrated and those with less diversity should be offered technical assistance to facilitate change.
 - 1.8.4. Discretionary federal funding for law enforcement programs could be influenced by that department's efforts to improve their diversity and cultural and linguistic responsiveness.
 - 1.8.5. Law enforcement agencies should be encouraged to explore more flexible staffing models.

- 1.9. Law enforcement agencies should build relationships based on trust with immigrant communities. This is central to overall public safety.
 - 1.9.1. Decouple federal immigration enforcement from routine local policing for civil enforcement and nonserious crime.
 - 1.9.2. Law enforcement agencies should ensure reasonable and equitable language access for all persons who have encounters with police or who enter the criminal justice system.
 - 1.9.3. The US Department of Justice should not include civil immigration information in the FBI's National Crime Information Center database.

Pillar Two: Policy and Oversight

Citizens have a constitutional right to freedom of expression, including the right to peacefully demonstrate. If Police are to carry out their responsibilities according to established policies, those policies must reflect community values.

- 2.1. Law enforcement agencies should collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime by improving relationships, greater community engagement and cooperation.
 - 2.1.1. The Federal Government should incentivize this collaboration through a variety of programs that focus on public health, education, mental health, and other programs not traditionally part of the criminal justice system.
- 2.2. Law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise and openly available for public inspection.
 - 2.2.1. Law enforcement agency policies for training on use of force should emphasize de-escalation and alternatives to arrest or summons in situations where appropriate.
 - 2.2.2. These policies should also mandate external and independent criminal investigations in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.
 - 2.2.3. The task force encourages policies that mandate the use of external and independent prosecutors in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.
 - 2.2.4. Policies on use of force should also require agencies to collect, maintain and report data to the Federal Government on all officer-involved shootings, whether fatal or nonfatal, as well as any in-custody death.
 - 2.2.5. Policies on use of force should clearly state what types of information will be released, when, and in what situation to maintain transparency.
 - 2.2.6. Law enforcement agencies should establish a Serious Incident Review Board comprising sworn staff and community members to review cases involving officer-involved shootings

and other serious incidents that have the potential to damage community trust or confidence in the agency. The purpose of this board should be to identify any administrative, supervisory, training, tactical or policy issues that need to be addressed.

- 2.3. Law enforcement agencies are encouraged to implement nonpunitive peer review of critical incidents separate from criminal and administrative investigations.
- 2.4. Law enforcement agencies are encouraged to adopt identification procedures that implement scientifically supported practices that eliminate or minimize presenter bias or influence.
- 2.5. All federal, state, local, and tribal law enforcement agencies should report and make available to the public census data regarding the composition of their departments including race, gender, age, and other relevant demographic data.
 - 2.5.1. The Bureau of Justice Statistics should add additional demographic questions to the Law Enforcement Management and Administrative Statistics (LEMAS) survey in order to meet the intent of this recommendation.
- 2.6. Law enforcement agencies should be encouraged to collect, maintain, and analyze demographic data on all detentions (stops, frisks, searches, summons, and arrests). This data should be disaggregated by school and non-school contacts.
 - 2.6.1. The Federal Government could further incentivize universities and other organizations to partner with police departments to collect data and develop knowledge about analysis and benchmarks as well as develop tools and templates that help departments manage data collection and analysis.
- 2.7. Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of military operation and avoid using provocative tactics and equipment that undermine civilian trust.
 - 2.7.1. Law enforcement policies should address procedures for implementing a layered response to mass demonstrations that prioritize de-escalation and a guardian mindset.
 - 2.7.2. The Federal Government should create a mechanism for investigating complaints and issuing sanctions regarding the inappropriate use of equipment and tactics during mass demonstrations.
- 2.8. Some form of civilian oversight of law enforcement is important in order to strengthen trust with the community. Every community should define the appropriate form and structure of civilian oversight to meet the needs of the community.
 - 2.8.1. The US Department of Justice, through its research arm, the National Institute of Justice (NIJ) should expand its research agenda to include civilian oversight.
 - 2.8.2. The US Department of Justice's Office of Community Oriented Policing Services (COPS Office) should provide technical assistance and collect best practices from existing civilian oversight efforts and be prepared to help cities create this structure, potentially with some matching grants and funding.

- 2.9. Law enforcement agencies and municipalities should refrain from practices requiring officers to issue a predetermined number of tickets, citations, arrests, or summons, or to initiate investigative contacts with citizens for reasons not directly related to improving public safety, such as generating revenue.
- 2.10. Law enforcement officers should be required to seek consent before a search and explain that a person has the right to refuse consent when there is no warrant or probable cause. Furthermore, officers should ideally obtain written acknowledgement that they have sought consent to search in these situations.
- 2.11. Law enforcement agencies should adopt policies requiring officers to identify themselves by their full name, rank, and command (as applicable, and provide that information in writing to individuals they have stopped. In addition, policies should require officers to state the reason for the stop and the reason for the search, if one is conducted.
 - 2.11.1. One example of how to do this is for law enforcement officers to carry business cards containing their name, rank, command, and contact information that would enable individuals to offer suggestions or commendations or to file complaints with the appropriate individual, office or board. These cards would be easily distributed in all encounters.
- 2.12. Law enforcement agencies should establish search and seizure procedures related to LGBTQ and transgender populations and adopt as policy the recommendation from the President's Advisory Council on HIV/AIDS (PACHA) to cease using the possession of condoms as the sole evidence of vice.
- 2.13. Law enforcement agencies should adopt and enforce policies prohibiting profiling and discrimination based on race, ethnicity, national origin, religion, age, gender, gender identity/ expression, sexual orientation, immigration status, disability, housing status, occupation, or language fluency.
 - 2.13.1. The Bureau of Justice Statistics should add questions concerning sexual harassment of and misconduct toward community members, and in particular LGBTQ and gender-nonconforming people, by law enforcement officers to the Police Public Contact Survey.
 - 2.13.2. The Centers for Disease Control should add questions concerning sexual harassment of and misconduct toward community members, and in particular LGBTQ and gender-nonconforming people, by law enforcement officers to the National Intimate Partner and Sexual Violence Survey.
 - 2.13.3. The US Department of Justice should promote and disseminate guidance to federal, state, and local law enforcement agencies on documenting, preventing and addressing sexual harassment and misconduct by local law enforcement agents, consistent with the recommendations of the International Association of Chiefs of Police.
- 2.14. The US Department of Justice, through the Office of Community Oriented Policing Services and the Office of Justice Programs, should provide technical assistance and incentive funding to jurisdictions with small police agencies that take steps towards shared services, regional training and consolidation.

- 2.15. The US Department of Justice, through the Office of Community Oriented Policing Services should partner with the International Association of Directors of Law Enforcement Standards and Training (I (ADELST) to expand its National Decertification Index to serve as the National Register of Decertified Officers with the goal of covering all agencies within the US and its territories.

Pillar Three: Technology & Social Media

The use of technology can improve policing practices and build community trust and legitimacy, but its implementation must be built on a defined policy framework with its purposes and goals clearly delineated.

- 3.1. The US Department of Justice in consultation with the law enforcement field, should broaden the efforts of the National Institute of justice to establish national standards for the research and development of new technology. These standards should also address compatibility and interoperability needs both within law enforcement agencies and across agencies and jurisdictions and maintain civil and human rights protections.
 - 3.1.1. The Federal Government should support the development and delivery of training to help law enforcement agencies learn, acquire and implement technology tools and tactics that are consistent with the best practices of 21st century policing.
 - 3.1.2. As part of national standards, the issue of technology's impact on privacy concerns should be addressed in accordance with protections provided by constitutional law.
 - 3.1.3. Law enforcement agencies should deploy smart technology that is designed to prevent the tampering or with manipulating of evidence in violation of policy.
- 3.2. The implementation of appropriate technology by law enforcement agencies should be designed considering local needs and aligned with national standards.
 - 3.2.1. Law enforcement agencies should encourage public engagement and collaboration, including the use of community advisory bodies, when developing a policy for the use of new technology.
 - 3.2.2. Law enforcement agencies should include an evaluation or assessment process to gauge the effectiveness of any new technology, soliciting input from all levels of the agency, from line officer to leadership as well as assessment from members of the community.
- 3.3. Law enforcement agencies should adopt the use of new technologies that will help them better serve people with special needs or disabilities.
 - 3.3.1. As part of the process for developing best practices, the US Department of Justice should consult with civil rights and civil liberties organizations, as well as law enforcement research groups and other experts, concerning the constitutional issues that can arise as a result of the use of new technologies.
 - 3.3.2. The US Department of Justice should create toolkits for the most effective and constitutional use of multiple forms of innovative technology that will provide state, local, and tribal law enforcement agencies with a one-stop clearinghouse of information and resources.

- 3.3.3. Law enforcement agencies should review and consider the Bureau of Justice Assistance's (BJA) Body Worn Camera Toolkit to assist in implementing BWCs.
 - 3.4. Federal, state, local and tribal legislative bodies should be encouraged to update public record laws.
 - 3.5. Law enforcement agencies should adopt model policies and best practices for technology-based community engagement that increase community trust and access.
 - 3.6. The Federal Government should support the development of new "less than lethal" technology to help control combative suspects.
 - 3.6.1. Relevant federal agencies including the US Departments of Defense and Justice should expand their efforts to study the development and use of new less than lethal technologies and evaluate their impact on public safety, reducing lethal violence against citizens, constitutionality, and officer safety.
 - 3.7. The Federal Government should make the development and building of segregated radio spectrum and increased bandwidth by FirstNet for exclusive use by local, state, tribal and federal public safety agencies a top priority.

Pillar Four: Community Policing and Crime Reduction

Community policing emphasizes working with neighborhood residents to coproduce public safety. Law enforcement agencies should therefore work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.

- 4.1. Law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety.
 - 4.1.1. Law enforcement agencies should consider adopting preferences for seeking "least harm" resolutions, such as diversion programs or warnings and citations in lieu of arrest for minor infractions.
- 4.2. Community policing should be infused throughout the culture and organization structure of law enforcement agencies.
 - 4.2.1. Law enforcement agencies should evaluate officers on their efforts to engage members of the community and the partnerships they build. Making this part of the performance evaluation process places and increased value on developing partnerships.
 - 4.2.2. Law enforcement agencies should evaluate their patrol deployment practices to allow sufficient time for patrol officers to participate in problem solving and community engagement activities.
 - 4.2.3. The US Department of Justice and other public and private entities should support research into the factors that have led to dramatic successes in crime reduction in some communities through the infusion of non-discriminatory policing and to determine replicable factors that could be used to guide law enforcement agencies in other communities.

- 4.3. Law enforcement agencies should engage in multidisciplinary community team approaches for planning, implementing and responding to crisis situations with complex causal factors.
 - 4.3.1. The US Department of Justice should collaborate with others to develop and disseminate baseline models of this crisis intervention team approach that can be adapted to local contexts.
 - 4.3.2. Communities should look to involve peer support counselors as part of multidisciplinary teams when appropriate. Persons who have experienced the same trauma can provide both insights to the first responders and immediate support to individuals in crisis.
 - 4.3.3. Communities should be encouraged to evaluate the efficacy of these crisis intervention team approaches and hold agency leaders accountable for outcomes.
- 4.4. Communities should support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all, especially the most vulnerable.
 - 4.4.1. Because offensive or harsh language can escalate a minor situation, law enforcement agencies should underscore the importance of language used and adopt policies directing officers to speak to individuals with respect.
 - 4.4.2. Law enforcement agencies should develop programs that create opportunities for patrol officers to regularly interact with neighborhood residents, faith leaders, and business leaders.
- 4.5. Community policing emphasizes working with neighborhood residents to co-produce public safety. Law enforcement agencies should work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.
- 4.6. Communities should adopt policies and programs that address the needs of children and youth most at risk for crime or violence and reduce aggressive law enforcement tactics that stigmatize youth and marginalize their participation in schools and communities.
 - 4.6.1. Education and criminal justice agencies at all levels of government should work together to reform policies and procedures that push children into the juvenile justice system.
 - 4.6.2. In order to keep youth in school and to keep them from, criminal and violent behavior, law enforcement agencies should work with schools to encourage the creation of alternatives to student suspensions and expulsion through restorative justice, diversion, counseling and family interventions.
 - 4.6.3. Law enforcement agencies should work with schools to encourage the use of alternative strategies that involve youth in decision making, such as restorative justice, youth courts and peer interventions.
 - 4.6.4. Law enforcement agencies should work with schools to adopt an instructional approach to discipline that uses interventions or disciplinary consequences to help students develop new behavior skills and positive strategies to avoid conflict, redirect energy, and refocus on learning.

- 4.6.5. Law enforcement agencies should work with schools to develop and monitor school discipline policies with input and collaboration from school personnel, students, families, and community members. These policies should prohibit the use of corporal punishment and electronic control devices.
- 4.6.6. Law enforcement agencies should work with schools to create a continuum of developmentally appropriate and proportional consequences for addressing ongoing and escalating student misbehavior after all appropriate interventions have been attempted.
- 4.6.7. Law enforcement agencies should work with communities to play a role in programs and procedures to reintegrate juveniles back into their communities as they leave the juvenile justice system.
- 4.6.8. Law enforcement agencies and schools should establish memoranda of agreement for the placement of School Resource Officers that limit police involvement in student discipline.
- 4.6.9. The Federal Government should assess and evaluate zero tolerance strategies and examine the role of reasonable discretion when dealing with adolescents in consideration of their stages of maturation or development.
- 4.7. Communities need to affirm and recognize the voices of youth in community decision making, facilitate youth-led research and problem solving, and develop and fund youth leadership training and life skills through positive youth/police collaboration and interactions.
 - 4.7.1. Communities and law enforcement agencies should restore and build trust between youth and police by creating programs and projects for positive, consistent and persistent interactions between youth and police.
 - 4.7.2. Communities should develop community - and school-based evidence-based programs that mitigate punitive and authoritarian solutions to teen problems.

Pillar Five: Training and Education

As our nation becomes more pluralistic and the scope of law enforcement's responsibilities expands, the need for expanded and more effective training has become critical. Today's line officers and leaders must be trained and capable to address a wide variety of challenges including international terrorism, evolving technologies, rising immigration, changing laws, new cultural mores, and a growing mental health crisis. (Action items available in full report.)

- 5.1. The Federal Government should support the development of partnerships with training facilities across the country to promote the consistent standards for high quality training and establish training innovation hubs.
- 5.2. Law enforcement agencies should engage community members in the training process.
- 5.3. Law enforcement agencies should provide leadership training to all personnel throughout their career.
- 5.4. The US Department of Justice should develop, in partnership with institutions of higher education, a national postgraduate institute of policing for senior executives with a standardized curriculum preparing them to lead agencies in the 21st century.
- 5.5. The US Department of Justice should instruct the FBI to modify the curriculum of the National Academy at Quantico to include prominent coverage of the topical areas addressed in this report. In addition, the COPS Office and the Office of Justice Programs should work with law enforcement professional's organizations to encourage modification of their curricula in a similar fashion.
- 5.6. POSTs should make Crisis Intervention Training (CIT) a part of both basic recruit and in-service officer training.
- 5.7. POSTs should ensure that basic officer training includes lessons to improve social interaction as well as tactical skills
- 5.8. POSTs should ensure that basic recruit and in-service officer training include curriculum on the disease of addiction.
- 5.9. POSTs should ensure both basic recruit and in-service training incorporates content around recognizing and confronting implicit bias and cultural responsiveness.
- 5.10. POSTs should require both basic recruit and in-service training on policing in a democratic society.
- 5.11. The Federal Government as well as state and local agencies should encourage and incentivize higher education for law enforcement officers.
- 5.12. The Federal Government should support research into the development of technology that enhances scenario based training, social interaction skills, and enables the dissemination of interactive distance learning for law enforcement.
- 5.13. The US Department of Justice should support the development and implementation of improved Field Training Officer Programs

Pillar Six: Officer Wellness and Safety

The wellness and safety of law enforcement officers is critical not only for the officers, their colleagues and their agencies, but also to public safety. (Action items available in full report.)

- 6.1. The US Department of Justice should enhance and further promote its multi-faceted officer safety and wellness initiative.
- 6.2. Law enforcement agencies should promote safety and wellness at every level of the organization.
- 6.3. The US Department of Justice should encourage and assist departments in the implementation of scientifically supported shift lengths by law enforcement.
- 6.4. Every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests.
- 6.5. The US Department of Justice should expand efforts to collect and analyze data not only on officer deaths but also injuries and “near misses”.
- 6.6. Law enforcement agencies should adopt policies that require officers to wear seat belts and bullet proof vests and provide training to raise awareness of the consequences of failure to do so.
- 6.7. Congress should develop and enact peer review error management legislation.
- 6.8. The US Department of Transportation should provide technical assistance opportunity for departments to explore the use of vehicles equipped with vehicle collision prevention “smart car” technology that will reduce the number of accidents