

**City of Portland | Executive Department**

Danielle P. West, *City Manager*



**To:** Mayor Snyder and Members of the Portland City Council

**From:** Danielle P. West, City Manager

**Date:** July 14, 2023

**Re:** Recommendations from After-Action Report (April 1, 2023 Rally)

An after-action report was compiled after the April 1st rally. Due to review of potential criminal charges for some of the participants in the rally, the full report is considered confidential. With that said, staff wanted to provide the City Council with an update on some of the recommendations included therein, and what has been and will be done in response to the review of the incident:

- 1) Specialized First Amendment Training: The Portland Police Department (PPD) has begun to implement specialized First Amendment training for certain positions within the PPD. This training will be used to inform policy decisions and information also will be formed into in-service training that can be presented to all police officers. Information specifically related to past incidents PPD has been involved with will assist in information retention and provide realistic examples for officers. Although members of the PPD have varying levels of training, education, and experience, this will provide multiple members the opportunity for current training on best practices and court decisions.

Since the NSC-131 demonstration, four (4) officers already have attended a three-day (3) training on issues surrounding First Amendment events and the response thereto. Additionally, two (2) officers have attended a hate crime-specific training sponsored by the Lawyers' Committee for Civil Rights, The U.S. Department of Justice, and the Maine Chiefs of Police Association.

- 2) Documentation of Hate/Bias Incidents vs. Hate/Bias Crimes: The PPD already has the records management capability and process for receiving, investigating, and statistically tracking hate/bias crimes. Although the process and mechanisms need to be explored further, the PPD will consider implementing a process similar to DV (Domestic Violence) No Crime incidents, where no crime occurs, but information is documented to the best of the officer's ability, and is entered into the records management system with tracking capabilities.

This information will better inform PPD deployment of resources, community policing initiatives, understanding what specific communities are being targeted, the source and/or location of suspects, and reassurance to targeted communities.

- 3) Responding to First Amendment Activity: The PPD will implement another response level for First Amendment activity. This response level will focus around an informal risk assessment, taking into consideration the societal sensitivity of the speech or expression, known information about the group engaged in the activity, and location - other factors may also be deemed appropriate, however the assessment should be simple and easy for supervisors to navigate while mobile. This is especially important with spontaneous demonstrations where there is insufficient time to conduct normal notifications and planning operations. This assessment would afford front line supervisors guidance on when to become a more visible presence or begin to communicate and set boundaries between demonstrators and counter-demonstrators. Additionally, this assessment will seek to guide a supervisor's decision to activate cruiser camera systems and body worn cameras.
  
- 4) Community Policing & Intelligence: The PPD will form a more robust intelligence capacity, to be paired with increased community outreach. The Community Policing Unit has been impacted by low staffing, however, outreach to marginalized communities and groups will be a priority upon restaffing. Building these relationships would open up information and sources to assist in investigations and also improve the notification for challenging spontaneous demonstrations.