The COCL team has submitted questions and document requests pertaining to the ongoing protests for racial justice and against police violence, sparked by the murder of George Floyd by a police officer. We are, of course, happy to provide all of the requested information as soon as possible. Unfortunately, we are unable to do so in the timeframe you have set. The process of auditing this unprecedented crowd control event, which has been ongoing since May 28th to the current date, is a manual one that involves collecting, cross referencing and reading each individual FDCR, AAR, and narrative reports associated with many different case numbers. And this is occurring at a moment of heightened challenges created by the COVID-19 pandemic and the resultant economic crisis and with the backdrop of an accelerated demand for and pace of public safety reforms.

PPB is continuing to work to facilitate free speech demonstration activity and minimize or eliminate the need for police uses of force in this context. The Bureau and City have been closely monitoring PPB activity on a daily basis with the policy objective of continuing to de-escalate and reduce uses of force. We believe once complete, accurate information can be compiled, analyzed and audited, it will show a positive trend with decreasing uses of force by PPB over time from the beginning days (when a very large amount of criminal conduct occurred) to present. However, we also believe it is essential that the analysis be performed using the same rigorous methodology developed in collaboration with COCL and DOJ. We are confident that PPB has the systems in place to produce a high quality analysis of this protest event, although the truly extraordinary and challenging circumstances will require additional time to do so, given the work required which is described in detail below. We ask that our partners also recognize the unprecedented circumstances we are dealing with as you assess our performance, particularly with reference to timeliness.

In terms of the process in place for these reports, with the exception of the first four days of the protest, a new protest key case number has been generated for each day of this protest. But that key case number can have many related cases, each having their own unique case number. Different units, or squads, often create a separate case number to file all of their reports. For example, detectives who were investigating crimes that occurred during the protest assigned a new case number and linked it back to the key case number. Similarly, when a member of an RRT squad makes an arrest and uses force in the process, a new case number is generated and all reports, including the FDCR, are filed with the case number associated with the arrest; not the protest key case number.

To provide a count of the number of protest-related force incidents (cases) at this stage would be nearly impossible as all reports have not yet been reviewed. The only certain number we can give is a count of protest key case numbers. However, that would not reflect the number of uses of force. To count the number of related case numbers for each key case number would be extremely complex, laborious, and potentially inaccurate. For example, a very rough estimate of the number of cases related to the key case number for the first four days is 165. That represents unique case numbers, not the number of reports associated with each of those cases, which can be hundreds. Further, that estimate may include cases related to ancillary activities, such as, investigating crimes, documenting reports of vandalism, and documenting the gathering of evidence and not specific crowd control activity. OIG analysts and the Force Inspector must finish their review of all of the reports to provide a count of case numbers that include reports of protest-related force.

Similarly, OIG analysts can provide an estimate of the number of protest-related FDCRs by simply counting those with a protest key case number. But that would not include the FDCRs that were

completed under related cases, such as those where an arrest was made and submitted under a different case number. Until all related case numbers with an FDCR have been identified, the OIG cannot accurately provide a count of the number of FDCRs.

To find force incidents that do not have a completed FDCR, OIG analysts must read through all narratives in a case, all AARs related to that case number and that squad, and all associated FDCRs for other officers' witness statements regarding force. Likewise, to find incidents that have not gone through a complete AAR process, OIG analysts first have to find documentation of these incidents, and then search for and confirm the absence of an AAR. If the OIG analysts are unable to find one they then have to reach out to members of the chain of review, as cases have been found where an AAR was completed but not forwarded to the OIG Auditing team. This, unfortunately, creates additional wait time for complete analysis.

OIG analysts and the Force Inspector are currently working through these events beginning with day 1 of the protest by operational period and by squad to provide these answers, but the volume of reports and the amount of cross-referencing required makes this a very long and arduous process. In addition, new information, even regarding early operational periods of the event, is still being submitted and confirmed, which means frequent back tracking to ensure we have the most complete picture possible. As such, OIG analysts are not yet up to date in reviewing these incidents and do not have an alternative way of tallying up the amount of protest-related force incidents, without completely sacrificing accuracy. Given that the OIG does not have all of this information currently available, OIG analysts are also unable to provide any sort of accurate median estimate of time to complete an AAR with regard to these incidents.

It was clear that the scope of this incident went well beyond the Bureau's ability to handle this event as it does the regular day-to-day operations of the Portland Police Bureau. Administratively, Lt Rob Simon was brought in as the new Force Inspector on June 25th to look at the Crowd Control After Action Reports that had already been submitted and were continually coming in. He immediately noted numerous reporting issues that have been, and continue to be, addressed.

Some of the ways PPB has addressed the issues administratively include:

-Lt Simon conducted a training for the majority of the Rapid Response Team leadership to address the identified reporting deficiencies.

-A dedicated After Action team consisting of lieutenants and sergeants was formed separate from operational command. These lieutenants were present for the report deficiencies training.

-A Sergeant was reassigned to the Inspector's office to assist in the report reviewing effort due to the volume of After Actions received. A second Sergeant was assigned as well in the last week.

Operationally, a dedicated Team of Rapid Response Team and Command have been detached as a permanent team for the duration of this event.

After Actions are processed in chronological order as they are received by the Inspector's office. Lt Simon also prioritizes After Actions that have been submitted late or have discrepancies related to crowd control. Those After Actions are specifically assigned to the Sergeant or addressed by him.

Similar to the usual Use of Force audit process, the Crowd Control audit begins with reports and each report is associated with an officer. Unidentified officers are not recorded or tallied in the reporting process. In cases where another officer may list other officers using force whom they are unable to immediately identify, OIG analysts either are able to cross-check with other FDCRs or AARs to identify who used the specific force listed, or these descriptions are so vague (i.e. "I witnessed other officers utilizing their batons to push back the line and grenadiers deploying CS canisters.") that they cannot be attributed to any one force incident, officer, or even if it was an officer from another agency. The audit team has not received any external reports of use of force by unidentified officers from either the Independent Police Review or Internal Affairs.

In summary, based on the reasons cited above, the OIG is unable to provide accurate report numbers at this time. Nor can we provide all FDCR's and AAR's for the dates of May 26th to June 9th, 2020 by the date requested, August 14, or any time close to that. Please be aware that this period (essentially the first two weeks of demonstration activity) saw the largest crowds and while the vast majority were peaceful and unimpeded in any way by law enforcement, in a number of instances criminal behavior occurred and force was used in response. The Mayor made the decision to limit tear gas to threats to life safety on June 6 that was then incorporated into a TRO on June 9. Since that time, significantly less force, including OC and crowd control munitions, has been used. We look forward to eventually providing you with a detailed analysis of this entire crowd control event.