



**CITY COUNCIL WORKSHOP
MEETING TO BE HELD REMOTELY**

July 27, 2021

5:00 PM

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AGENDA ITEMS:

1. Presentation by Portland Police Department (Chief Frank Clark)

2. Presentation by Health & Human Services Department (Kristen Dow, Director)
3. Additional Feedback from City Staff
4. Council Q&A



**CITY OF PORTLAND
POLICE DEPARTMENT**

Frank T. Clark, Police Chief

INTERDEPARTMENTAL MEMORANDUM

July 9, 2021

TO: Jon Jennings, *City Manager*

FM: Frank Clark, *Chief of Police*

RE: RESC Report

On behalf of the Portland Police Department (PPD), we first want to acknowledge the dedication and work of the Racial Equity Steering Committee (RESC). The [RESC's findings and recommendations](#) reflect that the RESC and the PPD share a number of the same overall goals. Although the PPD was not included within the conversations and process resulting in the final report, we continue to welcome such collaboration and will work constructively to achieve our shared vision of improving the lives of all members of the Portland community.

As noted in the report, the RESC was formed in the wake of the May 2020 murder of George Floyd. In concert with both sworn PPD officer labor unions, I was the first in the state to [vocalize clear public scrutiny related to that tragic incident](#). That incident already resulted in one criminal conviction, with additional state and federal charges pending.

The PPD Command Staff has reviewed the relevant portions of the RESC's recommendations, and we offer the below feedback as a means to report out on where we currently stand, what we are already doing, and how we might continue to move forward as a 21st century police agency.

Adopt a crisis response model similar to the CAHOOTS model, originated in Eugene, OR. The committee strongly recommends that this crisis response model be housed in an organization that is already providing social services to marginalized and impacted members of Portland's community. This response model may work in collaboration with the PPD on certain calls, but should not be housed within or receive funding from the PPD.

The PPD welcomes any and all additional crisis services in the city of Portland. As I have said many times, the police (including the PPD) have become a de facto mental health provider for our communities. Currently, The Opportunity Alliance (TOA) provides a [mobile crisis team](#), separate from the police department, that provides 24-hour a day crisis response and services. PPD utilizes and supports this community resource, as needed, however, we should more broadly publicize and utilize this community resource, as possible, in lieu of a police response.

While we strongly concur that additional services should be provided via social service and public health entities, we also recognize that the PPD will continue to be a critical responder in this regard. This is not only due to the sometimes criminal behaviors exhibited by many of the most vulnerable

members of our community, many of whom fall through the societal cracks or refuse social services, but also because the calls, themselves, will continue to come into the city's Regional ("911") Communications Center and will require the capacity of an *efficient, effective and safe* 24/7/365 response.

An August 2020 assessment, conducted by the *National Association of State Mental Health Directors*, titled "[Cops, Clinicians or Both? Collaborative Approaches to Responding to Behavioral Health Emergencies](#)," found, in part, that, "As communities grapple with [Behavioral Health] emergencies, the question isn't whether [law enforcement] should respond to [Behavioral Health] emergencies, but rather when, how, and with what support. Both [law enforcement] agencies and healthcare systems must adopt systems approaches to serving individuals in crisis that strive towards a common goal of connecting people to care in the least restrictive setting, minimizing [law enforcement] involvement when possible, while ensuring the safety of the individual in crisis, care providers, and the public." This is the strategy currently utilized by the PPD.

The PPD is already recognized as a progressive national leader in alternative response. In 1996, PPD initially partnered with what was then Ingraham Volunteers (now The Opportunity Alliance - TOA) to create the first co-responder service model. A licensed mental health provider began getting assigned to respond to calls *with* uniformed police officers in order to provide real-time crisis response. With this model, officers are often able to de-escalate and stabilize the situation and work to ensure the scene is safe, so that the clinical crisis worker(s) can then safely engage the person and connect them with patient-centered support, services and resources. This co-responder program, which continues today, was deemed a success for officers, providers and consumers alike. Although initially one of only six, PPD remains one of only [fourteen learning sites nationwide](#), providing guidance and support on this proven model of mental health crisis response.

The PPD has also adopted the [Crisis Intervention Team \(CIT\)](#) model, in partnership with the National Alliance on Mental Illness ([NAMI-Maine](#)). Although the state standard is that only 20% of a police agency be "CIT trained," I consider this a critical and basic skill set in order to best serve this community. So all Portland police officers receive not only a core 8 hour [Mental Health First Aid](#) training curriculum at the Academy, but also a full 40 hours of CIT training within their first year of employment. This training enhances officer knowledge of mental illness, reduces stigma, provides deescalation skills, builds relationships and awareness of community resources, and seeks to improve outcomes for individuals in crisis, including those involving behavioral health and substance use disorders. CIT skills have undoubtedly contributed to a reduction in the need to use force, and an increase in pre-arrest diversions, such as a referral to our Behavioral Health Unit or other resources, or voluntary transports to the hospital in lieu of a summons, arrest, jail or court.

Just last year, [PPD was recognized by the International Association of Chiefs of Police \(IACP\)](#) as having attained the requirements of their "[One Mind](#)" campaign. This initiative is intended to ensure that police agencies have implemented contemporary and promising best practices aimed to ensure successful future interactions between police officers and persons with mental illness in our community. Those practices essentially include implementing policies and best practices pertaining to police officer interactions with those affected by mental illness; having mental health training for all sworn staff; and maintaining sustainable partnerships with community mental health providers. Utilizing best practices, PPD revised its standard operating procedure related to mental health response and crisis intervention, which provides direction on interacting with a person in crisis, and

makes it a priority for officers to utilize the “*time necessary to assess the situation and attempt to de-escalate the person.*”

The department maintains a civilian [Behavioral Health Unit \(BHU\)](#), overseen by a clinical Behavioral Health Coordinator. The BHU enhanced its co-responder model by adopting a first in the nation co-responder internship program. This innovative program invites Master’s level interns from USM and UNE to work within the BHU, collaboratively responding to calls for service and conducting follow-up in the community. The program expands the availability of co-responders, while giving future providers critical crisis exposure and skills unlikely to be achievable elsewhere.

In response to the opioid crisis and the lack of local services, PPD also added a *Substance Use Disorder Liaison* (SUDL), and a [Law Enforcement Addiction Advocacy Program \(LEAAP\)](#), to its BHU. The SUDL provides outreach, links to existing treatment, harm reduction resources, and education to the consumer, family and friends of those suffering from a substance use disorder. The department also began issuing Naloxone (NARCAN) to officers, who are most often the first responders to arrive at an overdose incident. Since being equipped with the overdose antidote, officers have administered NARCAN to approximately 60 people each year. I can proudly say that around 96% of those who are administered NARCAN by a PPD officer survive the overdose event.

Beginning in July 2020, members of the PPD conducted research in regards to the potential benefits of a [CAHOOTS style alternative response model](#). Initial conversations, involving PPD, SPPD, HHS, PFD, TOA and Amistad, began to result in a potentially similar concept, based on the needs here locally. Based upon these conversations, the PPD expanded its BHU, hiring an *Alternative Response Liaison* in February 2021. The Alternative Response Liaison is working with existing BHU staff and other service providers to evaluate successful models and explore the best way(s) to serve our local community, with the goal of enhancing our community’s response options, while concurrently prioritizing public, consumer and responder safety.

The first potential iteration of this response model, the *Portland Alternative Response Team* (i.e., PPD doing our “PART”), was launched on June 16, 2021. The initial PART trial involves dispatchers diverting two types of mental health related calls (i.e., well-being checks and behavioral health matters) to social service “PART” responders in lieu of a uniformed police response, to the extent such a response is both feasible and safe. This will continue our aim of providing person-centered interventions and support, while potentially allowing our officers to focus on other calls, crime and quality of life concerns. Additional community collaboration is being sought in order to help provide a feasible and sustainable trial program.

Although a separate system may be a longer-term goal, we believe that embedding this response capacity within the police and emergency communications departments has several benefits. The concept of having embedded clinicians continues to be considered best practice by the *Council of State Governments, Bureau of Justice Assistance*. The calls requiring a true “alternative response” will be those received, 24/7, by the existing Portland Regional Communications Center (PRCC), housed within the PPD. The responsibility for the safe, effective and efficient handling of these calls will remain the responsibility of the PRCC and the PPD. Call takers, who already have extensive training in handling crisis calls, can be further trained to triage and assign calls to the most appropriate resource (i.e., PD, FD, EMS, or PART).

Taking advantage of existing PRCC staffing and technology is not only the most feasible and cost effective option, but it helps to enhance safety and provide the most effective and efficient team-oriented approach. Putting responders in direct radio communication with the PRCC - and officers in the field - will also enhance the safety of both the community and the responders in those cases in which violence, emergency medical care or some other critical need presents itself to the team. Safety cannot be understated, as a very [recent stabbing incident in Holyoke](#), MA portends.

Beyond that, having these employees work within the department also serves to enhance familiarity, trust and confidence in one another while working as a team towards a common goal. This close partnership has undoubtedly changed the department's paradigm and impacted how our officers serve this community. With ready access to known and trusted BHU providers, our officers more frequently and effectively divert community members from the criminal justice system to the social service system now, whenever appropriate and safe.

The PPD and all city departments will regularly undergo a full departmental racial equity assessment by external consultants.

The PPD agrees and has been very proactive in this area. In 2016, 2018 and 2020, PPD officers received training in Implicit Human Bias. In October 2020, the PPD implemented a new [bias-based policing policy](#), in order to ensure the department is policing in a fair and equitable manner and providing guidelines for officers to follow in order to reduce actual and perceived profiling and biased policing. The policy prohibits discriminatory practices, specifically in the area of stops, detentions, searches, arrests and asset seizures. It also sets a standard of "*initial and annual training* in proactive enforcement tactics and biased-based policing concepts."

In addition, the new policy established an avenue for PPD staff to "submit any concerns or recommendations in regards to potential biased-based policing within the organization to the newly created Professional Standards Unit, which will conduct an administrative review of this information, along with any relevant citizen complaints or concerns (inquiries), to ensure that illegal or biased-based policing is not occurring during operations of the department. Any training issues or policy changes indicated by the review will be referred to and addressed."

The new department policy also requires an annual review of all bias related complaints and concerns, which will be documented in an annual report. Along these lines, PPD proactively reached out and is currently working with USM's Cutler Institute and Northeastern University, with support from the Roux Institute, to [analyze our historical demographic enforcement and contact data](#). This effort is intended to offer a transparent look at our past, while establishing recommendations and mechanisms to allow us to critically analyze appropriate data, with relevant comparisons, moving forward. This work is slated to be completed in early 2022.

We want to continue to set the bar and settle for nothing less than the best-trained and well-equipped personnel. Along those lines, we are collaborating with NAMI-Maine and are bringing a [Law Enforcement Active De-escalation Strategies \(L.E.A.D.S.\)](#) and Implicit Bias "Train the Trainer" program here to Maine in November 2021. This program focuses on conflict resolution methods, recognizing and not triggering aggression, force mitigation options, as well as tactical de-escalation and distraction techniques. The goals will include improved outcomes to difficult and confrontational street interactions, along with increased safety for both the public and our officers.

Screen police officers for personal prejudice, racism, white supremacy, sexism, xenophobia, homophobia and any other type of discriminatory behavior and/or belief systems.

The PPD employs a rigorous screening process to identify only those candidates who share the values of our department and our community. Our officers are the most highly scrutinized and vetted employees of any city department. Only about 4% of those who apply to become a Portland police officer successfully complete this process. Specific elements include, but are not limited to:

- A [written test](#) - screening for intelligence, integrity characteristics, antisocial behavior, aggression, deviance, ethical and moral character, honesty, stress tolerance, level of fairness, equity and emotional stability.
- A panel interview, including department and community ([civil service](#)) members - includes questions related to community and interpersonal relations and capacity.
- A thorough background investigation - provides a means to assess suitability, responsibility, and identify any state or local level [disqualifying convictions, conduct](#) or concerns. The background, in part, assesses work, education, interpersonal and personal behavior history, including but not limited to any criminal conduct (even if not caught), as well as substance and social media use.
- As of 2020, the certifications of all lateral officer applicants (those from another agency) are checked through the [National Decertification Index](#), which provides the names of officers whose certificates of eligibility have been suspended or revoked for misconduct.
- A polygraph (a psychophysiological “lie detector”) examination - used to generate additional information, as well as validate or refute the information obtained and developed during the background phase. [This testing](#) screens for any issues or concerns related to such areas as physical and mental health; alcohol use; criminal activity; drug and narcotic history; credit and financial matters; military service; personal history; gambling history; motor vehicle history; domestic or sexual activity; aggression and use of physical force; prior work-related experience; involvement in terrorist or subversive organizations; overall integrity and veracity, including truthfulness during the application, testing and interviewing processes. Beginning in 2020, PPD polygraphists also began screening for bias-related conduct and concerns.
- A job suitability (“psychological”) assessment - conducted by an external licensed psychologist, screens for such critical areas as empathy, self control, bias, racism, intolerance, multicultural competence, dominance, aggression, authoritarianism, judgmentalness, anger management, tolerance of other viewpoints and interpersonal and de-escalation capacity.
 - The psychologist also reviews the candidate’s awareness of the needs of the city’s various populations to include refugees, asylum seekers, those experiencing homelessness and those suffering from mental illness.
 - In addition to an in-depth clinical interview, screening tools include, but are not limited to the *Personality Assessment Inventory (PAI)*, *California Psychological Inventory (CPI)*, *Candidate and Officer Personnel Survey-Revised (COPS-R)*, and the *Wonderlic Personnel Test* and BLOCK design, all of which are compared against law enforcement and general population norms.
- A medical (“physical”) examination is then conducted by a licensed health care provider.
- A pre-employment illicit drug screen is being added to the process in FY22.

All new hires then must complete upwards of nine months of training before being assigned the responsibility of patrolling a beat in the city. New hires attend a PPD pre-academy course, followed by 18 weeks of state-level Academy training. This is followed by a PPD post-academy before they are assigned for a minimum of 14 weeks of field training with an experienced officer. Throughout this training cycle, the new officers are supervised, reviewed and critiqued on a daily basis.

This requirement for close and effective supervision continues once the new officers are assigned to the field. All officers are required to wear and activate both cruiser and [body worn cameras while on-duty and interacting with the public](#). Sergeants are expected to go to calls, particularly priority and high liability ones, and will also review body worn camera footage of their personnel in order to ensure compliance with our expectations, guiding values, policies and procedures. All use of force incidents (anything greater than unresisted handcuffing) require a mandatory report and are investigated by the on-duty sergeant, which are reviewed by the command staff and use of force committee. Ongoing feedback is provided by established [performance evaluation processes](#). The department maintains a [performance management process](#), setting expectations and guidance for supervisors to provide feedback that reinforces successful performance and corrective feedback for performance that does not meet department standards.

Finally, a progressive, yet essential, element of an effective police personnel management system is the early identification of employees who engage in conduct that may be contrary to the goals and values of the department. As such, we maintain a [performance management review \(PMR\) system](#) throughout an officer's career that is triggered via officer actions and behaviors, to include use of force and internal affairs complaint frequency. This process is designed to identify potential problems as early as possible, assisting supervisors in monitoring and potentially changing the performance and behavior of personnel for whom they are accountable.

I would generally consider psychological "job suitability" assessments viable options during the course of an officer's career as part of a "Fitness for Duty" type of evaluation (i.e., based upon due process or specific concerns pertaining to officer behavior that would warrant such administrative findings and intrusion). Having said that, I did contact a psychologist and seek out the feasibility and scientific validity of using such testing on more of an ongoing basis with tenured employees. I learned that the currently available tools were not created for the purpose of ongoing and regular assessment; so "although it may seem like a relatively easy way to routinely assess officers and the increase / decrease in the strength of their biases and biased behaviors, it is probably not a valid or appropriate strategy" to use such "implicit bias association tests." Beyond that and the likely legal issues, such suspicionless testing would understandably be overtly offensive and demoralizing to all of the good men and women who make up the ranks of the Portland Police Department, and who serve this community with honor, integrity and commitment every day.

We continue to believe, consistent with community policing concepts, and *The President's Task Force Report on 21st Century Policing*, that the best way to reduce bias and increase police legitimacy is through ongoing, positive, non-enforcement oriented interactions and dialogue. Many human biases are based upon stereotypes, which can be dispelled by getting to know people as individuals. We seek to continue our efforts of partnering with the community and working together to solve problems, reduce crime, enhance quality of life, and help all of our residents and visitors both be - and feel - safe in our city.

[The President's Task Force on 21st Century Policing](#), commissioned by President Obama, provided a nationally-recognized road map, of sorts, to guide U.S. police agencies in taking steps to foster stronger, collaborative relationships within the community, with overarching goals that included both *preventing and reducing crime*, while *maintaining and enhancing public trust* in a complex and diverse society. They engaged hundreds of community members, law enforcement officers, executives, associations, stakeholders, researchers, academics and civic leaders across the country. The Task Force praised the diverse perspectives that were able to come together and

engage in meaningful dialogue on emotionally charged issues in a respectful and effective manner, noting it was that sort of constructive and collaborative dialogue that should serve as an example to the rest of the nation.

Create better tracking systems on Police Conduct and Behavior. This includes an external investigation process for reviewing complaints and giving special, enhanced attention to officers who are the subject of multiple complaints.

As noted in the section, above, the PPD provides close and effective supervision to ensure employee compliance with directives, policies, procedures and expectations; ongoing feedback via an established [performance evaluation process](#); a formal [performance management process](#) geared towards setting expectations, reinforcing successful performance, and providing corrective feedback for performance that does not meet department standards; and maintaining a [performance management review \(PMR\) system](#), providing early identification of all sworn employees who engage in conduct that may be contrary to the goals and values of the police department.

We also maintain a vigorous [Internal Affairs system](#). Unlike many other agencies, this is staffed (full-time) by a lieutenant and sergeant. Our SOP requires us to accept and document all complaints. These can be filed by anyone, both inside (internal, oftentimes by supervisory or command action) or outside of the department (i.e., external “citizen” complaints). The department is then charged with investigating, reviewing and addressing the complaint(s), with the aim of protecting the *public*, *department* and *employee(s)*. The full contents of all investigative reports related to all external complaints and investigations are then forwarded to the [Police Citizen Review Subcommittee \(PCRS\)](#), which assesses whether the investigation was *objective*, *fair*, *thorough* and *timely*. The PPD then conducts [annual reviews of all internal affairs matters](#), posting relevant reports on the department’s website; while the [PCRS conducts independent annual reports](#) as well.

State law also requires mandatory reporting of certain acts or behavior by law enforcement to the Maine Criminal Justice Academy. In addition to any disciplinary action taken by a police agency, current law provides authority for the Academy’s Board of Trustees to additionally sanction an officer found to have committed misconduct through a variety of measures, ranging from a written warning to the suspension or revocation of the officer’s certificate. Such “misconduct” may include but is not limited to failing to complete required annual training, conviction for a crime, engaging in criminal conduct (regardless of whether there is a conviction), or violating the standards established by the Board for the legislatively-mandated policies.

As citizen review options are discussed, the police chief and the city’s human resources professionals should continue to be empowered to instill discipline and accountability within the department, making disciplinary decisions in these matters, based upon all of the available information. To that point, every internal affairs case includes a presentation of the “administrative insights” (i.e., work and complaint history) of the employee(s) under investigation. That includes, but is not limited to, prior uses of force, motor vehicle pursuits and accidents, performance management reviews and internal affairs complaints. In accordance with the department’s [Discipline SOP](#), issues such as seriousness of the violation, disciplinary record, work performance, the employee’s acceptance of responsibility, and the applicability of progressive discipline are all considered in the final disciplinary decision.

The RESC recommends that the PCRS be dissolved, and that a more equitable and accountable oversight committee (post external review), be formed in its place.

The [PCRS](#), an arm of the Civil Service Commission, was created in November 2001 by the Portland City Council. The PCRS is composed of residents of the City of Portland without any potential or perceived biases *either for or against* the department or law enforcement, generally. As such, current disqualifiers include:

- Presently employed by the City, or employed within the previous ten years;
- Present member of the City Council, or a member within the previous ten years;
- Immediate family member is a Portland police officer or has been within the previous ten years;
- Applicant or a member of his/her immediate family member has been arrested by the Portland police within the previous ten years, or the final disposition of any resulting criminal proceedings has been in the previous ten years, whichever is longer;
- Applicant or an immediate family member has filed a complaint with the IA unit of the Portland Police Department within the previous ten years; and
- Applicant or a member of his/her immediate family has sued the City of Portland, the Chief of Police, the PPD, or any Portland police officer within the last ten years.

The PCRS reviews police investigations of citizen complaints against PPD staff in order to ensure the Internal Affairs investigation was completed in a *thorough, objective, fair, and timely* manner. The subcommittee reports to the City Manager and provides recommendations for improving the police investigation process, policies or training, or for enhancing public confidence in the complaint investigation process. It also holds public hearings to receive public comments on the police citizen complaint process. The current iteration of the PCRS involved negotiations with the police unions and an [interpretive ruling by the Maine Labor Relations Board](#).

Create a citywide mandate to minimize the amount of police patrol in communities that are predominantly inhabited by BIPOC and other marginalized groups.

It is first important to note that PPD does not deploy patrol resources to any area of the city based upon any demographic, but upon need, reflected in the frequency of calls for service. With 2020 having been an anomaly, PPD generally responds to somewhere between 80,000 to 85,000 calls for service, annually. Although we recognize that such divisive perspectives exist, we'd also note that it appears counter to an [August 2020 national Gallup Poll](#), which indicated that most adult Americans (67%), and most black Americans (61%), want the police presence in their neighborhoods to remain the same. Per the poll, 20% of black Americans say they would like the police to spend more time in their area, while 19% would like them to spend less time there. In Portland, the highest level of police resources continues to be allocated to West Bayside. Just last year, it was suggested that PPD may need [supplemental resources to have a presence and address the concerns of "lawlessness" in that area](#).

As already noted above, and consistent with [community policing concepts](#) and the [President's Task Force Report on 21st Century Policing](#), we continue to ascribe to the concept that the best way to build relationships and increase police legitimacy and mutual trust is through *ongoing, positive, non-enforcement oriented interactions and dialogue*. In fact, 'contact theory' suggests that intergroup contact is of utmost importance in reducing prejudice between majority and minority group members, and promoting a more tolerant and integrated society. There is an old saying, 'The police are the public, and the public are the police.' We want to continue our efforts of partnering with all

communities and working together to solve problems, reduce crime, enhance quality of life, and help all of our residents and visitors both be safer - and feel safer - in our city. I simply could not be a part of any effort that would drive a wedge between our police department and any neighborhood, demographic or other segment of our Portland community.

The RESC recommends that the City support the role of community organizers, activists, and trusted community members as credible public safety messengers.

The PPD fully supports the community policing concept of neighbor and community ownership and buy-in of their safety. PPD would continue to encourage police - community collaboration, however, as a means to build trust, mutual understanding, respect and safety.

While many cities are reporting double digit increases this past year in violent crime, we saw crime mostly decrease in Portland in 2020. Although we have seen concerning shootings and random attacks, that overall trend of crime reduction is continuing so far in 2021. This is undoubtedly due, in part, to the pandemic, but is also due, in no small part, to the ongoing efforts of our staff, including our well-established [community policing unit \(CPU\)](#), which embeds six civilian community coordinators in community policing centers throughout the city. Coordinators provide a centralized, neighborhood resource for community members to obtain information about available services or seek assistance with a problem. And because they are embedded in the community, the coordinators are well-tuned to the climate of the neighborhood and are often the first members of the PPD to become aware of a developing issue. PPD and CPU staff work with many community partners (e.g., crisis workers, substance use clinicians, homeless and domestic violence advocates) to seek positive impacts for members of our community.

The value and impact of our community policing strategies on neighborhood safety was most recently documented during the establishment of the East Bayside Community Policing Center. In the first full year of operation, we saw a significant drop in almost every category of violent and property crime in the neighborhood: strongarm robberies decreased 67%, assaults decreased 48%, and armed robberies decreased 40%. In terms of property crime, motor vehicle burglaries declined 43%, residential and commercial burglaries declined 26% and thefts declined 16%. Nearly 80% of the community members served in FY20 were considered low income and more than 60% were from minority communities.

Our community policing efforts are the most robust in the State of Maine. CPU members do everything from setting up food pickups and drop offs, to collecting books for underprivileged children in all areas of the City, running sports camps in summer, giving away backpacks for the startup of school, Coffee with a Cop, Shop with a Cop, Secret Santa programs, supporting families that are in need and even organizing trash pickups. Because they are often not directly responsible for going call to call on a particular beat, they have the ability and latitude to be more proactive, working with the community and other departments and agencies to address neighborhood concerns, often through collaboration and cooperation of the parties involved, in concert with or as opposed to direct enforcement efforts.

Advocate for diversion programs and restorative justice programs for people who have minor offenses.

I remain very supportive of evidence-based restorative justice practices, particularly for minor offenses committed by our community's youth. The statutory and common sense focus of the juvenile justice system is, afterall, rehabilitation, not punishment.

These evidence-based strategies have most often been used by our former School Resource and Juvenile officers, but it is important to note that they are also already being used by both the District Attorney's Office and our Juvenile Community Corrections resources. So every case referred to either entity from PPD is already considered for an appropriate restorative diversion and resolution.

As a department, we are also seeking community restorative justice entity partnerships, as we work on revisions to department policies and procedures that will better formalize these efforts and lead to increased diversion of appropriate juvenile cases even prior to a referral to the DA or Community Corrections.

PPD has also increased the use of summonses as opposed to physical arrests, whenever feasible and appropriate. This was due, in large part, to the impacts of the pandemic on the jail and Court systems. As examples, in 2018, 22.2% of all offenders charged by PPD were issued summonses (77.8% were arrested). In 2020, 45.7% were summonsed, while 54.3% were arrested for all (both misdemeanor and felony) offenses.

Physical arrests should continue to be a tool in the toolbox, allowing officers the ability to keep or restore peace, enhance quality of life, and work to solve problems for victims and the community.

Create and communicate a clear and accessible review and appeals process for Criminal Trespass Orders.

The PPD welcomes further discussion of this process, but maintains that CTOs are a critical tool that aid in maintaining order and protecting our residents, visitors and business owners from criminal and quality of life concerns.

CTOs are sometimes issued as a diversionary tool in order to resolve a trespass, crime, threat or other safety concern *in lieu of an actual arrest or criminal summons*. In many cases, an individual is trespassed from a location, even by social service providers, because their behavior is assaultive, threatening, repetitive, and / or disruptive to the delivery of services to other clients.

In 2019, the PPD issued an average of 50 CTOs per week. Approximately 10.3% were issued at a shelter or similar facility (e.g., OSS, PSRC, Logan Place, Florence House and the Soup Kitchen). Additional review will need to be conducted, as necessary, in order to assess the broader issuance within public versus private properties, or locations such as city parks versus homes, business and hotels/motels. All CTOs are reviewed by the on-duty supervisor.

Beginning in 2020, PPD began sharing a list of CTOs issued each week with the city's HHS / Public Health staff. The intent was to allow our social service partners to be aware of those people who had been trespassed from any location, so they could work with them to 1) increase the likelihood of compliance, and 2) to aid in an appeal process, requesting that the CTO be withdrawn or amended, if appropriate.

Currently, the department's Neighborhood Prosecutor is assigned to review appeal requests for public (city-owned) property. An individual who has received a CTO for public property can request that the notice be rescinded.

- If the CTO was issued in a reasonable manner (i.e., to protect the safety and welfare of the public), the request will be denied. This is typically appropriate where an individual has assaulted another individual, exposed him/herself in public, threatened or posed a serious threat to another individual.
- If the CTO was not issued in a reasonable manner (no valid interest in protecting the safety or welfare of the public), the individual's request may be approved. This is typically appropriate where an individual may have been violating a City Ordinance, but it is their first offense, or there was an assault or threat but it involved mutual combatants.

There is not a formal appeal process for private property, as a private property owner has the absolute right and authority to control access to their home or other property. That said, any private property owner may request to have a CTO for their property rescinded at any time, assuming that it is not due to coercion or other undue influence.

The department can certainly increase its own review of individual CTO issuances, and / or can consider alternative processes for public property appeals.

The RESC recommends that all City departments – particularly law enforcement and HHS – collect and publish racial demographics annually.

In 2020, the Portland Police Department already began collecting and publishing [demographic data](#) as part of its [annual reports](#). This is raw data, compared only to Census data, and, as such, does not lend itself to inferences or presumptions. As indicated above, we are also currently working with USM's Cutler Institute and Northeastern University, with support of the Roux Institute, to do a deeper dive and analyze our historical demographic enforcement and contact data. We anticipate receiving a report from the research group in early 2022, which we will use to inform future programs and policies. It will also enable us to more effectively and regularly analyze and frame this data for internal and public consumption and use going forward.

Addendum:

In addition to the highlights already noted above, the PPD has also taken the following steps to ensure the highest level of service is provided to our community:

We continue to review and revise our SOPs in an attempt to ensure they meet best practices. This has included revisions to our Use of Force SOP, now called "[Response to Resistance](#)," which meets the proposals called for in the "[8Can'tWait](#)" campaign. We also created new [crowd management](#) and [bias-based policing / profiling](#) policies. The latter includes an annual bias related training requirement (something that has been done bi-ennially since 2016).

On this note, and not wanting to rest on our laurels, we will also be initiating the process to become an accredited agency by the [Commission on Accreditation for Law Enforcement Agencies](#) (CALEA). This process involves ongoing critical self-assessment of our policies, training, processes and programs to ensure they meet nationally recognized standards and best practices. We will also open up our doors to annual external scrutiny and reviews by professional assessors. The process also includes an opportunity for public input, and a quadrennial review of all the findings by the full Commission.

We restructured the command staff, essentially flattening the organization by one level. As part of the restructuring, we created a Professional Standards Unit. This Unit consolidated our previously separate Internal Affairs and Training Unit functions under one lieutenant. The goal is to allow for better identification and application of training needs based upon ongoing reviews and lessons learned from actual incidents or administrative investigations.

We are currently seeking grant funding to allow for the enhancement of deescalation training in the department, to include 1) the introduction of virtual reality training systems to both train, assess and critique officer decision making under real life scenarios; and 2) the implementation of [Integrating Communications, Assessments and Tactics \(ICAT\)](#). This training program provides officers with the tools, skills, and options they need to successfully and safely defuse a range of critical incidents. ICAT takes the essential building blocks of critical thinking, crisis intervention, communications, and tactics, and puts them together in an integrated approach to training. The program is designed especially for situations involving persons who are unarmed or are armed with weapons other than firearms, and who may be experiencing a mental health or other crisis.

Like every PPD officer, I took an oath to serve and protect this community, a responsibility I do not take lightly. Again, I fully appreciate the work of the RESC, while I concurrently appreciate the work that the men and women of the PPD do for our community under what are oftentimes tense, uncertain and rapidly evolving circumstances. I fully support them as they seek to do what is right and do their part to help protect our community, reduce crime, enhance safety, improve quality of life, and leave those whom they encounter better off than when they found them. In the same regard, I also pledge to maintain our high standards and hold ourselves accountable to the public, our profession, and our guiding values of *Integrity, Leadership* and *Service*. I look forward to continuing a dialogue that will ensure a collaborative effort leading towards equity and safety for everyone in our city.

In closing, I would urge members of our BIPOC community to consider [joining our ranks](#), be that police officer, telecommunicator, or civilian staff. We welcome diversity and want to be more reflective of the community that we serve. Learn what we do and how we do it. Be part of something bigger than yourself... a force that seeks to have a positive impact on our community every day.

If there are any questions or the need for additional information, please let me know.

Thank you for your continued support.

Portland Police Department



**Racial Equity Steering Report
Council Workshop**

July 27, 2021

Recommendation

Adopt a crisis response model similar to the CAHOOTS model, originated in Eugene, OR. The committee strongly recommends that this crisis response model be housed in an organization that is already providing social services to marginalized and impacted members of Portland's community. This response model may work in collaboration with the PPD on certain calls, but should not be housed within or receive funding from the PPD.

Feedback

- We are a de facto mental health provider, and we fully support additional mental health services for the community
- PPD maintains a nationally recognized Behavioral Health Unit
 - Behavioral Health Coordinator,
 - Substance Use Disorder Liaison (LEAAP), and as of February 2021-
 - Alternative Response Liaison, assessing options for a *safe and appropriate* response to certain calls in lieu of a uniformed officer.
- TOA Police Liaison, who responds and co-responds to various mental health and substance use calls for service.
- TOA's Mobile Crisis Unit maintains a separate number and 24-hour crisis response services for our community

Feedback

- Concept of embedded clinicians continues to be considered best practice by the *Council of State Governments, Bureau of Justice Assistance*
- One of 14 national learning sites, where other agencies turn for guidance on implementing their own mental health and substance use response teams
- ALL PPD officers are fully trained in Mental Health First Aid (8 hours) and Crisis Intervention Team (CIT) training (40 hours).
- 2020 recipient of IACP OneMind recognition -
 - Confirmed contemporary best practices aimed to ensure successful future interactions between police and persons with mental illness.

Feedback

- For safety and practicality reasons, to include the calls that will continue to come into the PRCC, PPD will, by necessity, need to continue to respond to mental health and substance use related calls. The question is when, how, and with what resources.
- PPD strategy is to work with community partners and connect people to care in the least restrictive setting, minimizing police involvement, when possible, while ensuring the safety of the individual in crisis, responders, care providers and the public.

Recommendation

The PPD and all city departments will regularly undergo a full departmental racial equity assessment by external consultants.

Feedback

- PPD has proactively provided Implicit Human Bias related training in 2016, 2018 and 2020, and implemented a new bias-based policing policy in Oct. 2020, which prohibits profiling and discriminatory practices.
- This policy sets up initial and annual training in this area, and requires an annual review and report on bias-related matters.
- To increase transparency, PPD invited USM's Cutler Institute and Northeastern University to review and report on PPD's demographic enforcement and contact data, with a report expected in 2022.
- In partnership with NAMI-Maine, PPD is hosting LEADS (Law Enforcement Active De-escalation Strategies) and Implicit Bias "Train the Trainer" program in Nov. 2021 - developing subject matter experts in conflict resolution, force mitigation options, tactical de-escalation and distraction techniques.

Recommendation

Screen police officers for personal prejudice, racism, white supremacy, sexism, xenophobia, homophobia and any other type of discriminatory behavior and/or belief systems.

Feedback

- A rigorous values-based screening process is already in place for applicants. Elements include:
 - **written test** - includes screening for integrity, aggression, deviance, ethical and moral character, honesty, level of fairness and equity
 - **panel interview** - including community (civil service) representation
 - **background investigation** - assess suitability, responsibility, and disqualifying conduct or convictions.
 - **polygraph** - validate or refute background info; and screen for any issues or concerns related to physical and mental health; substance use; criminal behavior; motor vehicle history; domestic or sexual activity; aggression and use of physical force; involvement in terrorist or subversive organizations and overall integrity and veracity. Beginning in 2020, we also began screening for bias-related conduct and concerns.

Feedback

- **job suitability (psychological) assessment** - by an external licensed psychologist - screens for empathy, self control, bias, racism, intolerance, multicultural competence, dominance, aggression, authoritarianism, judgmentalness, anger management, tolerance of other viewpoints and interpersonal and de-escalation capacity.
- **physical exam** - by a licensed healthcare provider
- **preemployment drug screen** - to be established FY22
- Approximately 4% of applicants successfully complete process
- New hires must complete approx 9 months of training before being assigned to patrol the City.
- All officers are subject to ongoing supervision and required to wear body cameras.

Feedback

- A comprehensive performance management system sets expectations, reinforces successful performance and provides corrective feedback.
- An 'early warning' system alerts supervisors to potential problems and provides a mechanism for monitoring and changing performance/behavior.
- The community and police share the same common overarching goals; we need stronger collaborative relationships to solve problems, reduce crime, enhance quality of life, and help all residents and community members be - and feel - safe in our city.
 - Aim to reduce bias and increase police legitimacy through ongoing, positive, non-enforcement oriented interactions and dialogue.

Feedback

- An external psychologist indicated that currently available tools were not created for the purpose of ongoing and regular assessment and “probably not a valid or appropriate strategy” to use to evaluate “the increase / decrease in the strength of their biases and biased behaviors.”
 - How would we then use the information / test results? Training? Monitoring behavior?
 - “Fitness for Duty” assessments may be warranted during career based upon due process or specific concerns pertaining to officer behavior that would warrant such administrative action
 - Suspicionless testing would raise legal, labor law and issues, and would be demoralizing to those who serve

Recommendation

Create better tracking systems on Police Conduct and Behavior. This includes an external investigation process for reviewing complaints and giving special, enhanced attention to officers who are the subject of multiple complaints.

Feedback

- PPD provides:
 - close, effective and ongoing supervision - includes review of BWCs - to ensure compliance with policies and expectations;
 - ongoing feedback via an established performance evaluation process; a formal performance management process geared towards setting expectations, reinforcing successful performance, and providing corrective feedback for performance that does not meet department standards; and
 - a performance management review (PMR) system, providing early identification of all sworn employees who engage in conduct that may be contrary to the goals and values of the police department.

Feedback

- Full-time Internal Affairs system
- Accept and document all citizen complaints
- Investigate, review and address the complaint(s), with the aim of protecting the *public, department* and *employee(s)*
- The full contents of all IA reports related to all external complaints and are then reviewed by the PCRS
 - PPD then conducts annual reviews of all internal affairs matters, the results of which are posted on the department's website
 - The PCRS completes annual reports, posted to the city's website as well

Feedback

- State law also requires mandatory reporting to the MCJA, which can also sanction an officer for misconduct
- Every IA case includes the “administrative insights” of the involved officers (i.e., prior IA complaints, uses of force, motor vehicle pursuits and accidents, and performance management reviews).
- Seriousness of the violation, disciplinary record, work performance, the employee’s acceptance of responsibility, and the applicability of progressive discipline are factored into final disciplinary decision.
- City’s HR professionals, Chief’s Office, and PD supervisors should continue to be empowered to instill discipline and accountability within the department

Recommendation

The RESC recommends that the PCRS be dissolved, and that a more equitable and accountable oversight committee (post external review), be formed in its place.

Feedback

- PCRS, created in 2001, is part of the Civil Service Commission.
- Current makeup requires Portland residents without any potential or perceived bias or agenda *either for or against* the department. Current disqualifiers:
 - Presently employed by the City, or within the previous ten years;
 - Present member of the City Council, or within the previous ten years;
 - Immediate family member is a Portland police officer or has been within the previous ten years;
 - Applicant or a member of his/her immediate family member has been arrested by the Portland police within the previous ten years, or the final disposition of any resulting criminal proceedings has been in the previous ten years, whichever is longer;

Feedback

- Applicant or an immediate family member has filed an IA complaint with the Portland Police Department within the previous ten years; and
- Applicant or a member of his/her immediate family has sued the City of Portland, the Chief of Police, the PPD, or any PPD officer within the last ten years.
- The PCRS reviews all investigations of citizen complaints and assesses whether they were *thorough, objective, fair* and *timely*.
- The PRCS makes recommendations for improving the investigative process, policies or training, or for enhancing public confidence in those processes.
- The current iteration involved negotiations with the police unions and an interpretive ruling by the Maine Labor Relations Board.

Recommendation

Create a citywide mandate to minimize the amount of police patrol in communities that are predominantly inhabited by BIPOC and other marginalized groups.

Feedback

- PPD does not deploy patrol resources to any area of the city based upon any demographic, but upon need / calls for service.
- With 2020 having been an anomaly, PPD generally responds to somewhere between 80,000 to 85,000 calls for service, annually.
- An August 2020 national Gallup Poll indicated that most adult Americans (67%), including most black Americans (61%), want the police presence in their neighborhoods to remain the same.
- Belief that the best way to build relationships and increase police legitimacy and mutual trust is through *ongoing, positive, non-enforcement oriented interactions and dialogue*.

Recommendation

The RESC recommends that the City support the role of community organizers, activists, and trusted community members as credible public safety messengers.

Feedback

- PPD fully supports the community policing concept of neighbor and community ownership of their safety.
- Along those lines, we continue to encourage police - community collaboration as a means to build trust, mutual understanding, respect, safety and problem solving.
- While many cities are reporting double digit increases in violent crime this past year, Portland saw crime mostly decrease, a trend continuing so far in 2021.
- PPD undoubtedly plays an ongoing role in this effort

Feedback

- Our CPU staff embeds six civilian community coordinators, and police officers in various neighborhoods throughout the city.
- Coordinators provide a centralized neighborhood resource for community members to obtain information about available services or seek assistance with a problem. And because they are embedded in the community, the coordinators are often the first to become aware of developing issues.
- PPD and CPU staff work with many community partners (e.g., crisis workers, substance use clinicians, homeless and domestic violence advocates) to seek positive impacts for members of our community.

Feedback

- The value of CPU's strategies on neighborhood safety was evident after the creation of the East Bayside Community Policing Center. In the first full year:
 - Violent and property crime - strongarm robberies -67%, assaults -48%, and armed robberies -40%.
 - Property crime - motor vehicle burglaries -43%, residential and commercial burglaries -26% and thefts -16%.
- Nearly 80% of the community members served in FY20 were considered low income and more than 60% were from minority communities.

Recommendation

Advocate for diversion programs and restorative justice programs for people who have minor offenses.

Feedback

- PPD is supportive of evidence-based restorative justice practices, specifically for minor offenses committed by our community's youth.
- JV system - rehabilitation, not punishment.
- Currently used by DA's Office and Juvenile Community Corrections, so every PPD juvenile case is already considered for an appropriate restorative diversion and resolution.
- PPD is revising current policies to allow for additional collaboration with community restorative justice entities, allowing for increased diversion of juvenile cases even prior to DA or JCCO referral.

Recommendation

Create and communicate a clear and accessible review and appeals process for Criminal Trespass Orders.

Feedback

- CTOs are a critical tool that allow us to maintain order and protect our residents, visitors and business owners from criminal violations and quality of life concerns.
 - CTOs are used to warn a person against being on a particular property, and are sometimes used as a diversionary tool in order to resolve a trespass, crime, threat or other safety concern *in lieu of an actual arrest or criminal summons*.
 - In many cases, an individual is trespassed from a location, even by social service providers, because their behavior is assaultive, threatening, repetitive, and / or disruptive to the delivery of services to other clients.

Feedback

- PPD's Neighborhood Prosecutor is assigned to review CTO appeal requests for public (city-owned) property.
 - If the CTO was issued in a reasonable manner (i.e., to protect the safety and welfare of the public), the request will be denied. This is typically appropriate where an individual has assaulted another individual, exposed him/herself in public, threatened or posed a serious threat to another individual.
 - If the CTO was not issued in a reasonable manner, the individual's request may be approved. This is typically appropriate where an individual may have been violating a City Ordinance, but it is their first offense, or there was an assault or threat but it involved mutual combatants.

Feedback

- The department can increase its own review of individual CTO issuances, and / or can consider alternative processes for public property appeals.
- No change would be recommended for private property CTOs, as private property owners have the absolute right and authority to control access to their home, business or other property.
 - Owners can request CTOs be voided

Recommendation

The RESC recommends that all City departments – particularly law enforcement and HHS – collect and publish racial demographics annually.

Feedback

- In 2020, PPD collected and began publishing demographic data as part of its annual reports. This data is posted on the department's website.
- In 2020, PPD (and SPPD) also requested support from USM's Cutler Institute and Northeastern University, with support of the Roux Institute, to do a deeper dive and analyze our historical demographic enforcement and contact.
 - This project will also inform us how to more effectively and regularly analyze and frame this data for internal and public consumption and use going forward.
 - The project is anticipated to be completed in early to mid 2022.

Additional

- CALEA Accreditation - ongoing critical self-assessment of our policies, training, processes and programs to ensure they meet nationally recognized standards and best practices. We will also open up our doors to annual external scrutiny and reviews by professional assessors, as well as public input.
- Restructured command staff, essentially flattening the organization by one level. Created a Professional Standards Unit, consolidating our previously separate Internal Affairs and Training Unit functions under one lieutenant.
- Enhancing de-escalation training, to include:
 - addition of virtual reality training systems to both train, assess and critique

Additional

- *Implementing ICAT (Integrating Communications, Assessments and Tactics)* training.
 - Tools, skills, and options to successfully and safely defuse a range of critical incidents using critical thinking, crisis intervention, communications and tactics.
 - Designed for situations involving persons who are unarmed or are armed with weapons other than firearms, and who may be experiencing a mental health or other crisis.
- We welcome diversity and want to be more reflective of the community that we serve. #JoinOurTeam!



Racial Equity Steering Committee Report Council Workshop



Health & Human Services Department
July 27, 2021

COVID-19 Homelessness Response

- Identification of quarantine & isolation space before the first case of COVID 19 in Maine.
- Secure additional shelter space for families and individuals.
- Work with state officials and local providers.
- Enlist CHOWs and cultural brokers to translate and disseminate information.
- Onsite testing and vaccination clinics.

Staff Trainings

- 32 trainings available to shelter staff.
- 25 trainings are required:
 - Bloodborne Pathogens training; Cardiac Science: AED All Staff Training; Diversity and Inclusion Workshop; Emergency Action Plan training; First Aid and CPR; General Assistance Training; HMIS training; Housing Training for Supervisors; In their Shoes Refugee Training; Introduction to Cultural Competency; Kepro Training (Housing team); Language Access Training; Mental Health First Aid Training; Military Culture 101; Munis Training; Narcan/Overdose Reversal/Response Training; Public Charge Training by ILAP; Reasonable Suspicion for Supervisors required for New Supervisors; Serious accident reporting ; Trauma Informed Care and Compassion Fatigue by Maine Behavioral Health; Understanding and Supporting LGBTQ Individuals; Verbal Judo Training; Violence Against Women Act training by Through These Doors; Workers Compensation for supervisors

Criminal Trespass Orders (CTO's) at Oxford Street Shelter

- June 2020 to June 2021 69 individuals have been issued CTOs from Oxford Street Shelter
- CTOs are issued after interventions such as de-escalation techniques and progressive discipline have been exhausted when at all possible.

Criminal Trespass Notices Issued by Type June 2020 thru June 2021



Racial Equity in Public Health

- Since 2014 Portland Public Health has implemented CLAS standards (National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care)

City of Portland Public Health Program Design: CLAS* Standards Checklist

COMMUNICATION & LANGUAGE ASSISTANCE

- ARE OUTREACH MATERIALS TRANSLATED?
- ARE EDUCATION MATERIALS TRANSLATED?
- ARE THERE INTERPRETERS FOR THE EVENT?
- ARE YOU REFERRING COMMUNITY MEMBERS TO OTHER TRANSLATED RESOURCES?
- IF COMMUNITY MEMBERS CONTACT YOU LATER, DO YOU HAVE A WAY TO HELP THEM IF THEY DO NOT SPEAK ENGLISH?

ENGAGEMENT, CONTINUOUS IMPROVEMENT & ACCOUNTABILITY

- ARE THE GOALS OF THIS PROJECT ALIGNED WITH COMMUNITY GOALS?
- HAVE COMMUNITY MEMBERS BEEN CONSULTED IN DESIGNING THE PROJECT?
- IF PLANS CHANGE, IS THERE A MEANSTO INFORM THE COMMUNITY?
- ARE COMMUNITY MEMBERS INVOLVED IN IMPLEMENTATION?
- ARE ASSESSMENTS AND PROJECT STANDARDS CULTURALLY & LINGUISTICALLY APPROPRIATE?

Racial Equity in Public Health Continued

- PHAB Accreditation- In order to maintain PHAB accreditation, the Public Health Division is required to demonstrate efforts to provide culturally and linguistically appropriate services to ethnic and racial minority groups.
- Funding Sources- Several Public Health Division funding sources require that we adhere to SAMHSA's Strategic Prevention Framework, which includes cultural competency as a core guiding principle.
- The Public Health Division, including the Minority Health Program, are key participants in the Maine Shared Community Health Needs Assessment implementation.



CITY OF PORTLAND

Jon P. Jennings, City Manager

To: Mayor Snyder and City Council
From: Jon P. Jennings, City Manager
Date: July 26, 2021
RE: City of Portland Racial/Economic Justice Initiatives

City staff are pleased to share information related to the City's existing racial and economic justice initiatives. The following City programs and initiatives are fundamental to the City's active commitment to equity and service.

- **Office of Economic Opportunity:** Convenes and leverages public and private partners so that immigrants, people of color, and other underserved populations have access to jobs, related support services, and economic opportunities.
- **Co-Responder Service Model:** Partnership between licensed mental health providers and uninformed police officers to provide real-time crisis response
- **Crisis Intervention Team (CIT):** All Portland Police Department (PPD) officers are CIT-trained within their first year of employment. CIT improves communication, identifies mental health resources for those in crisis, and improves outcomes for everyone involved.
- **PPD Behavioral Health Unit (BHU):** BHU includes a Master's-level internship program headed by a clinical behavioral health coordinator, a substance abuse disorder liaison, and an alternative response liaison.
- **Annual, mandatory Implicit Bias Training for PPD officers**
- **Rigorous Screening of PPD Applicants**, which includes a psychological assessment, polygraph, thorough background investigations, and a written test to screen for antisocial behavior, aggression, level of fairness, emotional stability, and honesty.
- **Annual, mandatory DEI Training for all City staff**
- **Adoption of the National League of Cities' Race, Equity, and Leadership (REAL) Program**
- **Ongoing commitment to providing low-barrier access to shelter** for individuals experiencing homelessness during COVID-19 pandemic
- **Close collaboration with community partners to ensure services, resources, and outreach** to individuals experiencing homelessness during COVID-19 pandemic
- **Data Collection** to review historic PPD performance and inform future changes

These programs represent work that speaks best to the concerns and recommendations of the Committee. We welcome any opportunity to discuss these programs with Committee members or answer specific inquiries about City operations and services.

Crisis Services / Interventions

Over the years, as has occurred in many cities, the Portland Police Department (PPD) has become the de facto provider of mental health interventions and services. We concur that many of these services should be provided by or in lockstep with social service and public health departments; however, we also recognize that PPD will continue to be a key emergency responder.

PPD administers several programs to ensure it responds to crises in an appropriate and effective manner. First, our co-responder service model partners licensed mental health providers with uniformed police officers to provide real-time crisis response. In these instances, officers stabilize the situation and environment so that crisis workers can safely engage the person, ultimately connecting them with long-term support and services. This program has been in place since around 1996, and was developed in partnership with Ingraham Volunteers (now The Opportunity Alliance). PPD is recognized as a national leader in alternative response strategies, and is one of only 10 Department of Justice, Bureau of Justice Assistance [learning sites](#) nationwide providing guidance on this model and its implementation.

Second, in partnership with the National Alliance on Mental Illness (NAMI-Maine), PPD adopted the Crisis Intervention Team (CIT) model in 2001. While the standard is that 20% of an agency is to be CIT-trained, PPD requires that 100% of its officers are CIT-trained within the first year of employment. We believe this training plays an invaluable role in educating officers about mental illness and effective de-escalation tactics, as well as reducing mental illness stigma.

Third, the PPD's Behavioral Health Unit (BHU) has a first-in-the-nation co-responder internship program, originally established in 2010. Master's-level interns from USM and UNE, overseen by a Clinical Behavioral Health Coordinator, respond to calls for service and conduct follow-up in the community. This program increases the availability of mental health co-responders and provides valuable, hands-on experience to future providers of critical crisis and intervention services. In 2016, PPD introduced a Substance Abuse Disorder Liaison to its BHU team to improve outreach and education to members of the public suffering from a substance use disorder, as well as their family and friends. PPD also began issuing NARCAN to its officers at that time; on average, officers administer NARCAN to nearly 60 people every year.

Last year (2020), PPD took the initiative to explore the benefits of a CAHOOTS model in partnership with the Portland Department of Health & Human Services and private community partners. Those conversations resulted in the addition of an Alternative Response Liaison to its BHU team, who is tasked with developing strategies to improve responses to behavioral health calls that do not involve a crime or impact public/responder safety.

The City of Portland welcomes and encourages private partners to develop and deliver alternative crisis responses.

Office of Economic Opportunity

The Office of Economic Opportunity was created in 2017 to convene and leverage public and private partners so that immigrants, people of color, and other underserved populations have access to jobs, related support services, and economic opportunities.

In 2018, OEO created a [Strategic Action Plan for Inclusion](#) to outline key priorities and strategies citywide. It identifies systemic gaps that affect Portland's racially, ethnically and linguistically diverse populations and puts forth plans to help bridge them, including but not limited to: direct programming, coordination and convening, and advocating for the removal of barriers within existing structures and systems.

In addition, OEO has developed a unique section on its website titled [How do I...](#), which helps providers and constituents navigate many of the systems that uphold basic needs. OEO also built a [Virtual Racial Disparities Hub](#), where they collect and share resources and data in support of public education and action in response to racial disparities.

Lastly, in just a couple weeks, OEO will launch an Employer Resource Hub, exclusively dedicated to addressing racial inequity in the workplace.

In early 2020, OEO launched its [Natural Helpers Leadership](#) program. This nationwide program is designed to bridge the gap between Portland's immigrant communities and vital resources by identifying, training and empowering community members who understand the various challenges immigrants face: moving to a different place, learning a new language, existing within a dominant culture, and/or establishing a home, among many other topics.

Since OEO adopted this program, 26 Natural Helpers have been recruited, trained and formally recognized by the City for their contributions. In year 1 and 2, over 45 community partners have participated in their training. Collectively, they speak 13 languages, hail from over 10 different countries, and have dedicated over 160 hours of community service so far. Portland's Natural Helpers played a vital role in the City's response and community outreach during the first six months of the COVID-19 pandemic.

OEO also established the Portland Professional Connections program in partnership with the Portland Regional Chamber of Commerce. This program matches foreign-trained professionals with local business and community leaders to foster inclusion and access to employment opportunities. To date, over 81 foreign-trained professionals have enrolled in the program; 97% of those individuals have reported a greater sense of belonging to Portland as a result of their participation.

Housing

The City offers a robust suite of financial programs, policies and initiatives to foster the creation of affordable housing for all. Examples include management of Portland's Housing Trust Fund, administration of federal financial assistance programs (HOME, CDBG), and Affordable Housing Tax Increment financing. In addition to these programs, the City has codified zoning and land use policies to require and incentivize affordable housing. Key initiatives include:

1. The Sale of City-Owned Property for Strategic Development

Selling City-owned land provides the City with unique control over the timing, location, and affordability of housing development. It also has the added benefit of turning land with no tax liability into an income-generating property for the City's tax rolls. Through the Request for Proposals (RFP) process, the City retains control over the type and nature of development.

Currently, the City of Portland has three city-owned properties under Purchase and Sale Agreements. Once they are developed, these projects will create approximately 141 units, including 85 homeownership units. The proposals for these three properties include creative homeownership models such as a community land trust and limited equity cooperative housing.

Previous transactions involving City-owned property include 60 Parris Street (2018), 178 Kennebec Street (2019), and 83 Middle Street (2021), which collectively resulted in or will result in 23 condominiums units (two of which are deed restricted as Inclusionary Zoning units and 21 that were sold at or below 120% of the Area Median Income), 51 units of housing for residents at least 55 years of age (of which 40 are leased at or below 60% AMI) 45 very low-income units leased at or below 50% AMI.

2. Housing Options for Portland's Unhoused Population

Since 2016, the City has required that developers receiving assistance through the Affordable Housing Development Program (HOME, CDBG or Affordable Housing Tax Increment financing) set aside 10% of rental units in the development for individuals or families living in a City of Portland shelter. City staff provide referrals, coordinating supportive services, and help locate resources to assist with monthly rent payments.

"Housing First" is an approach to homeless assistance that emphasizes housing stability while offering access to supportive services to ensure that the individual or family remains successfully housed. The City has been encouraging Housing First development proposals in the annual Affordable Housing Development Program application since 2013. However, the City's support of the Housing First model began much earlier with the investment in Avesta Housing's Florence House development, completed in 2008.

There are currently three Housing First developments in the City of Portland: Florence House, Logan Place, and Huston Commons, all of which were developed by Avesta Housing. The City invested \$240,000 and \$435,000 in the development of Florence House and Logan Place, respectively. The City also provided \$50,000 in funding for pre-development costs associated with the development of Huston Commons.

The City has also invested in several affordable housing projects developed by Community Housing of Maine (CHOM). CHOM leverages a Housing First model that incorporates supportive housing strategies into larger tax credit projects, as well as smaller four-to-ten-unit developments. Examples of the City's support of CHOM's alternative Housing First model include a \$25,000 Housing First pre-development grant (which assisted in the development of a four-unit development on St. John Street); \$403,795 investment in CHOM's Elm Terrace project; and a commitment to invest \$530,000 in CHOM's project at 83 Middle Street (which will be built on City-owned property).

CHOM's Danforth on High project was built on land formerly owned by the City.

3. **Long-Term Affordability**

A City policy requires that all rental housing projects in Portland funded with HOME must have a minimum affordability period of 90 years, secured by a declaration of covenants and restrictions that is recorded in the Cumberland County Registry of Deeds. This period is double what is mandated by the State Low Income Housing Tax Credit administrator (Maine State Housing Authority), and more than four times the requirement of the federal HOME program, ensuring that these units stay affordable for longer.

The City's local Tax Increment Financing Policy requires that Affordable Housing TIF (AHTIF) projects must have an affordability period that matches the term of the AHTIF district and is secured by a declaration of covenants and restrictions that is recorded in the Cumberland County Registry of Deeds.

4. **Homeownership Assistance**

Efforts to create homeownership housing have been mentioned previously. One of the City's first programs designed to help finance first-time home purchases was established in 1992 with HUD HOME program funding. The program, HomePort, provided down payment, closing costs and repair assistance for households earning at or below 80% of the area median income. In FY2015, the program due to the reduction of HOME funding over time, rising home costs throughout Portland and Cumberland County, and HOME Program regulations on allowable purchase prices made it difficult for applicants to find housing that fit the program parameters. Financial assistance was redirected to an expanded Tenant-Based Rental Assistance program and the construction of new affordable housing.

5. **Inclusionary Zoning**

Inclusionary Zoning was implemented as part of Portland's Land Use Code in November 2015, and amended by a 2020 ballot referendum. New residential developments of 10+ dwelling units must ensure that at least 25% of total units are affordable to households making up to 80% of the area median income. It also includes an option to make a fee-in-lieu contribution to the City's Housing Trust Fund (\$150,000 per unit, adjusted annually) rather than construct the units. A second inclusionary zoning policy was adopted in 2019 for hotels, requiring contributions to the Housing Trust for each hotel room developed (or the option to include on-site affordable housing at the hotel).

Inclusionary Zoning Totals

Inclusionary Zoning Housing Trust current balance	\$1,248,217
Inclusionary Zoning Housing Trust contributions approved but pending	\$1,766,762
Cumulative IZ contributions to housing trust from adoption through Feb. 21	\$2,734,033.37
Total IZ units built (not via fee-in-lieu to Housing Trust) from implementation through Feb. 2021	87
Hotel Inclusionary Housing Trust total contributions	\$586,124
Hotel Inclusionary Housing Trust approved but pending	\$178,882

6. Land Use Code Policies

Portland has been actively engaged in establishing housing goals and housing policy for decades, including in [Portland's Plan 2030](#) (Portland's Comprehensive Plan), and the City Council has consistently prioritized this issue. In addition to Inclusionary Zoning, a number of other housing initiatives have been adopted, some emphasizing affordable housing requirements and others incentivizing and encouraging new housing creation through zoning changes. These include housing replacement requirements for development proposals that would remove existing housing, density bonuses for affordable housing proposals, and height increases and setback reductions for affordable housing proposals. Affordable housing applications also receive priority review over other applications and their application fees are reduced. Maximum residential densities have been increased in a number of zoning districts in recent years to encourage greater housing supply overall, particularly in areas well-served by transit.

Each of these policies have preceded the current [ReCode](#) initiative, which is the first complete rewriting of Portland's Land Use Code in over 50 years and will build upon existing housing policies to ensure the City's regulations are aligned with its comprehensive plan goals. In the recently-adopted ReCode Phase I, a robust and generous Accessory Dwelling Unit policy was adopted in tandem with an off-street parking exemption for transit-proximate development, allowing fuller buildout of development sites for the purpose of housing. Further evaluation of the code for how it can better foster additional housing creation and affordability is central to ReCode Phase II.

A more comprehensive overview of housing programs and policies can be found in the City's 2020 [Interim Housing Report](#). Analysis of recent housing trends and its relation to the ReCode initiative can be found [here](#).

City Staff Training & DEI Initiatives

Since 2016, PPD officers have received biennial training in Implicit Human Bias from both internal and external leaders. In October 2020, the PPD implemented a bias-based policing policy to help ensure policing was conducted in a fair and equitable manner. The policy prohibits discriminatory practices, specifically in the area of stops, detentions, searches, arrests and asset seizures, and requires ongoing training on topics that include conducting lawful field contacts, traffic stops, searches and seizures.

This new policy introduces a new avenue for PPD staff to submit concerns or recommendations regarding potential biased-based policing within the organization to the Office of Professional Standards. This new Office, expected to be formed this quarter, will conduct administrative reviews of officer recommendations and complaints, as well as citizen complaints and concerns. Additionally, PPD is committed to conducting an annual review of all bias-related complaints and concerns, and will document the results of this review in its annual report.

Along the same lines, PPD is in the process of finalizing a collaboration with the Cutler Institute and Northeastern University to analyze the Department's historical demographic enforcement and contact data. This effort is intended to offer a transparent look at our past, while establishing recommendations and mechanisms to analyze critical data moving forward as well. We expect this work to be completed within the next year.

From 2017 to 2020, the City Manager has required all City staff to engage in at least one Diversity, Equity, and Inclusion (DEI) training opportunity every year. The Human Resources Department has also delivered training to hiring managers on reducing bias in the hiring process and developing cultural competency.

Beginning this year, the City plans to work with the National League of Cities to adopt its [Race, Equity, and Leadership \(REAL\) Program](#) as our primary form of racial equity training moving forward. Established in the wake of the 2014 unrest in Ferguson, MO, the REAL program offers tools and resources designed to help local elected leaders and municipal employees build safe places where people from all racial, ethnic and cultural backgrounds thrive socially, economically, academically and physically.

COVID-19 Homelessness Response

In response to COVID-19, the City of Portland's Department of Health & Human Services has worked in close conjunction with Maine CDC and local social service partners to ensure that vital services continue to be delivered to people experiencing homelessness.

Despite a decline in capacity due to social distancing requirements, access to low-barrier shelter was maintained through the establishment of a second shelter at the Portland Expo, contracting with MaineHousing to use a local hotel as shelter space, continuing all housing placement services, and pivoting from Family Shelter overflow space to the use of local hotels. Since June 2020 we have successfully housed 106 single adults and 113 families (387 individuals) as a result of this important work.

Before the first positive COVID-19 case was identified in the State, HHS staff established a separate quarantine and isolation shelter space to maintain access to health care services for individuals experiencing homelessness. This space was closed once the State opened their own shelter. In addition, the Department has coordinated multiple times with local health providers to provide health screenings and assessments, testing, and flu clinics for its guests. We continue to

coordinate with providers to identify and reach out to guests who are eligible for the COVID-19 vaccine.

The Department is committed to equitable and effective outreach efforts, working with interpreters and cultural brokers since the beginning of the pandemic to reach as many people as possible. This work includes the translation of COVID-19 resources into five languages. On a weekly basis, the Department meets virtually with social service providers from at least 10 different organizations to discuss and coordinate responses to community needs and a constantly changing pandemic landscape.

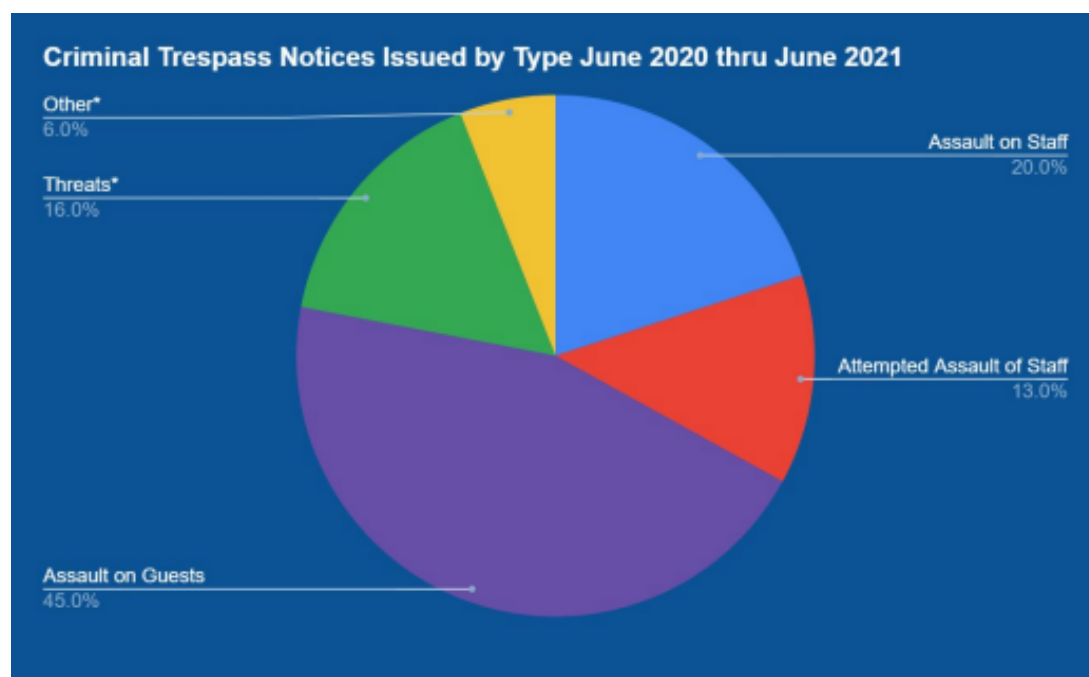
Lastly, we are directly providing hand sanitizer, water, and face coverings to individuals experiencing homelessness, including those staying in City shelters and in public parks. We also installed temporary outdoor restroom facilities in both 2020 and 2021.

Criminal Trespass Orders (CTOs)

In 2019, PPD issued approximately 2,234 CTOs (an average of 50 per week). Approximately 234 of those (10.3%) were issued at a shelter or similar social services facility in the City.

To improve interdepartmental collaboration, PPD began sharing a list of CTOs issued weekly with the Department of Health & Human Services in 2020. The results have been twofold: improved compliance has helped to prevent potential threats to public safety, and staff have more easily been able to request that a CTO be withdrawn, when deemed safe and appropriate.

The Department of Health and Human Services currently tracks all CTOs at its shelters. CTOs are issued for violent offenses that threaten the safety of both guests and staff. From June 2020 to June 2021 69 individuals have been issued CTOs from Oxford Street Shelter; the reasons for the issuance of those CTOs are provided in the following chart:



Currently, the Health & Human Services and Public Safety Committee is working on an ordinance that would license all homeless shelters in Portland, including those run by the City. Among the requirements being considered for inclusion in that ordinance is the regular development of a management report that would detail the number of CTOs issued, the reasons for their issuance, the length of those CTOs, and whether the individual who was issued the CTO had been issued any previously.

Conclusion

These programs represent work we believe speaks best to the concerns and recommendations as noted by the Committee in their interim report; however, this list is far from a comprehensive representation of the work the City does on these issues. We welcome any opportunity to discuss these programs with the Committee, or answer specific inquiries about City operations and services.



CITY OF PORTLAND
Human Resources Director
Gina Tapp, SPHR, SHRM-SCP

TO: Jon Jennings, City Manager
FROM: Gina Tapp, Director of Human Resources
DATE: July 21, 2021
RE: Racial Equity Assessment & Training for City Staff

In partnership with Julia Trujillo, Director of the Office of Economic Opportunity, we have been working with the National League of Cities (NLC) to bring their Racial Equity And Leadership (REAL) program to the City of Portland's municipal workforce. We requested, and funding was approved, to allow us to bring this program to the employees of the City. We have a contract in place that allows us to move forward. The purpose of this work is to support the development and implementation of racial equity goals for our City employees and the work we do for the citizens we serve. The following information from the NLC's REAL program describes the activities and services that we will be participating in. We are also partnering with the Portland Public Library and Portland METRO on this initiative.

Background:

NLC created the Race, Equity, And Leadership (REAL) department to strengthen local government leaders' knowledge and capacity to eliminate racial disparities, heal racial divisions, and build more equitable communities. REAL does this through several intervention channels and support systems with the understanding that local government leaders may not know where or how to start. REAL has three focus areas to support cities:

1. Provide **Training & Technical Assistance** that builds the capacity of local government leaders to identify racial disparities and effectively challenge and address issues through policy and practice.
2. Offer **Network Building** opportunities that promote peer-to-peer learning and showcase local government leaders who are advancing efforts through REAL.
3. Establish a **Field of Practice** that leverages new and existing partnerships, and shares knowledge and resources across cities that promote innovative solutions to racial equity challenges in local government.

All workshops include:

- **Interactive and experiential components.** Adult learning styles vary. Varied forms (including exercises and small group discussions) are used to share information to ensure learning objectives are met.
- **Explicit conversation and facilitation to illuminate the connection between individual, institutional, and structural racism.** The training methodology allows participants to make connections between individual experiences and the broader societal and structural ways in which race is constructed. The focus is on institutional and structural strategies, as those are most effective for leveraging change.
- **Strong, expert facilitation.** Conversations about race can sometimes be difficult. NLC has a team of expert facilitators who are prepared to lead and guide conversation and to re-design activities in the moment to ensure participants' time and experience is maximized.
- **Applying learning.** Racial equity concepts can, at times, be abstract. NLC's workshops focus on the application of learning in the workplace. *Doing* is often the best teacher.

All workshops and learning activities will be tailored to best meet the needs of the City of Portland. This will be done by working with our own staff on things like context setting to understand how best to tailor content and exercises, background research to ensure content is relevant and focused on connections between institutional and structural change, and interviews with a selection of participants to ensure design meets the needs and expectations of participants.

Initial Assessment:

The first step will be an **assessment** in order to establish an understanding of the context for action, which is essential for building an effective program. REAL staff are working with us on the final stages of reviewing and slightly revising the initial staff survey, which is key to program design and implementation. The resulting data collection from a broad cross-section of our employees will help us to understand perspectives on racial equity, areas of momentum upon which new work can be built, and places where challenges need to be addressed. This initial survey process is foundational, allowing for redelivery of the survey instrument to track progress over time.

Training:

REAL offers a four-part training series on racial equity. Each session described briefly below will be subject to modification based on new virtual learning or developments from conversations with the City over time.

REAL 100: Normalizing Racial Equity in Local Government

These sessions provide an introductory overview for city leaders and staff on the history of institutional and structural racism in America. This training will equip leaders and staff with a shared language for racial equity, examine existing racial disparities in cities and its implication for advancing racial equity, and introduce important concepts and tools for organizing and operationalizing racial equity.

REAL 200: Operationalizing Racial Equity in Local Government

These sessions will explore the implications and impacts of institutional and structural racism for members and staff. City leaders and staff will spend a significant amount of time learning how to use a racial equity tool as they explore structural changes to daily operations, budgeting, communications, community engagement, and decision-making.

REAL 300: Organizing Racial Equity in Local Government

These sessions will be an opportunity for city leaders and staff to review the topical issues identified from the previous sessions and current issues shared during the sessions. City leaders and staff will learn and apply the racial equity tool to these priorities and determine an approach for advancing racial equity in their city and could include the development of a racial equity plan.

REAL 400: Train the Trainer in Advancing racial Equity in Local Government

Share curriculum that builds on the existing and growing field of governmental practices to advance racial equity. Participate in “train-the-trainer” sessions, so that internal capacity is built to implement and sustain the REAL program training.

Technical Assistance and Capacity Building:

REAL will work with us to offer recommendations for developing a Core Team which will be a group drawn from across departments that will sustain the engagement and build leadership that can facilitate greater commitment to advancing racial equity throughout the city (the Library, and METRO).

We believe the REAL program will be a valuable tool for us as we move forward. The program leaders and staff that we have met with over the past months have been extremely knowledgeable about their work, and have displayed a deep understanding of how important this work is within the context of municipal government. There is much more information available on their web-site at <https://www.nlc.org/program/race-equity-and-leadership-real/> .

It is our intent that we eventually have all city employees and elected officials participate in the REAL 100 training. We will be able to customize the program for differences in how the Library and METRO decide to implement the program, however we are confident that collaborating on this initiative will only bring a stronger connection in our work together, as we will have a much greater shared understanding and collective commitment to our racial equity work. As we develop and build out the Core Team, we will share more information about next steps.

Lastly, I will note that when we first started working together with NLC staff, Dr. Leon Andrews was leading the REAL program. Since that time, he has moved on to another organization. NLC has recently hired Shawna Davie to be the Executive Director of the program. Shawna was most recently served as the Government Alliance on Race and Equity (GARE) South Region Manager at Race Forward, where she led city and county leaders across southern states in the creation of racial equity policy frameworks and action plans. In our last meeting with REAL program staff, we were introduced to Shawna, and had a very productive conversation around the final adjustments to the assessment tool that will be used. Their data team is currently conducting a final review, and we hope to send out the assessment to all City employees soon.

**City of Portland
Racial Equity Steering Committee
Full Report**

Presented to Portland's City Council
Monday, April 26th, 2021

Written and collated by the committee facilitator
Samaa Abdurraqib, PhD

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ACKNOWLEDGEMENTS

This committee was formed four months after the murder of George Floyd. This committee came together in the wake of yet another wave of uprisings demanding justice for Black lives. We came together, got to know each other, and pushed through this work together amidst a tumultuous election season, a violent uprising at the Capitol, and continued demands for justice for Breonna Taylor. We close this work almost a full 365 days after George Floyd's murder, after Derek Chauvin has been found guilty of Floyd's murder, and amidst yet another rash of police involved killings that took the lives of Duante Wright (20 years old), Adam Toledo (13 years old), and Ma'Khia Bryant (16 years old).¹ It is important for us to name this current moment and the moment that we collectively came through while engaging in this important racial equity work.

The committee would like to extend our thanks to Portland City Council and Mayor Kate Snyder – thank you for creating the opportunity for us to dig into this work. This process re-affirmed our individual and collective resolve to remain committed to pushing for evolution and shifts towards a racially just Portland. The committee would like to offer gratitude and acknowledgement for all the members of the public who showed up for public comment, either via in-person comment or via written comment. We appreciate the time all of you took out of your life to share with us about what is most important to you and the communities you are connected to. We have done our best to capture all of your comments - at the end of this report. We believe that your ideas and opinions should be included in this report. Ultimately, it is our hope that this work reflects the vision you have for our city.

The committee wants to extend particular thanks to Jim Devine Anna Brewer, both from Homeless Voices for Justice, as well as Katie McGovern from Pine Tree Legal Assistance. Thank you for adding depth and texture to our understanding of Criminal Trespass Orders. We'd like to extend particular thanks to Dr. Marcelle Medford for the research that she so diligently provided that helped shape our proposals on alternative crisis responses. We'd also like to extend gratitude and appreciation for Niky Walter Amaris and Jerome Bennett, the two committee members who were unable to complete the full process with us. We remain thankful for all that they contributed and, as we continued this work, we missed their voices.

Lastly, the committee wants to recognize and acknowledge ourselves, both individually and collectively. Through this 6-month process, we have learned together, moved together, and have grown in solidarity together. We want to recognize the lived experiences of racism and systemic oppression that existed on this committee. This committee was primarily comprised of people who are Black, Latinx, multi-racial, and Persons of Color – white people were far outnumbered on this committee. This work and the report stemming from this work truly centered the knowledge, experience, and expertise of BIPOC people, and that alone – in this very white state – is something

¹ Several spellings of Ma'Khia's name were published by different news outlets. "Ma'Khia" is the spelling the child's aunt uses.

important to recognize. This committee was diverse in many ways: we are BIPOC, we have raised Black and Brown children; we have advanced degrees; we are business owners; we have been impacted by the criminal justice system; we work within policymaking systems; we are artists; we work within the criminal justice system; we are educators; we are activists in a myriad of ways. Every single one of us, BIPOC and white people alike, felt called to this committee work because we saw Black and Brown people being harmed and killed under the guise of public safety and we believed there could be a better path forward. We have deep heartfelt appreciation for each other – in our similarities and our differences – and our commitment to this process.

DEFINITIONS

- **BIPOC:** We use the term BIPOC to mean Black, Indigenous, and People of Color. We recognize that there are many terms and phrases that can be used to identify people who are not white, and we acknowledge that many of these terms and phrases may not fully capture any one individual's understanding and experience of their own racial and/or ethnic identity. We use the term BIPOC with the hope that this acronym feels respectful and representative to the majority of people in Portland who would place themselves under this umbrella. We also use the term with the hope that the acronym will still speak for itself even if/when people who are Black, Indigenous/Native, Latinx, and of Asian or Middle Eastern descent create/identify/reclaim different terms to describe themselves.
- **People of Color:** We use this term to identify people who are not white, Black or Indigenous. This includes people of Asian descent (both South Asian and East Asian), people of Middle Eastern descent, and Latinx people.
- **Marginalized:** We use this term to represent groups of people who are pushed to the edges of our society and culture, primarily due to their race, ethnicity, country of origin, gender identity, religion, socio-economic status, and/or sexuality.

BACKGROUND

The Racial Equity Steering committee (RESC) was formed to address the charges outlined in Resolve #1, passed by City Council in July 2020. The charges are as follows:

BE IT FURTHER RESOLVED, that the Racial Equity Steering committee will be charged with: reviewing the City's approach to public safety, including but not limited to:

1. an examination of the ever-expanding role we, as a City, have asked the police to play in our community — ranging from responding to noise complaints, traffic violations, and violent crime to conducting wellness checks and responding to behavioral health calls and drug overdoses — and whether we have provided them with the appropriate resources to accomplish this work.
2. the way in which the City interacts with area agencies, organizations, and non-profits in the name of public safety and how these partnerships can best work to enhance public safety in the City; and
3. recommending changes, as necessary, to various policies, structures, and procedures related to public safety that may disproportionately impact Black people and other persons of color with the specific aim of improving community relations, establishing mutual trust and respect, and rooting out and ending system racism

After an application and selection, a full committee was formed, a facilitator (Dr. Samaa Abdurraqib) and researcher (Dr. Marcelle Medford) were hired, and the committee began convening in October 2020. The committee has been meeting for 1.5 hours every week, taking breaks during the holidays. The RESC hosted three “in-person” public comment sessions and opened up a written public comment option in order to make the process more accessible to a wider array of people. The RESC was originally tasked with completing their work by January 22nd, 2021, but the group requested and was granted an extension to complete their work by April 1st, 2021. A final report will be presented to City Council on Monday, April 26, 2021.

The full members of the Racial Equity Steering Committee were: Councilmember Pious Ali (co-chair); Lelia D'Andrade (co-chair); Chef Louis Pickens; Suheir Alaskari; Ali Abdul; Merita McKenzie; Deborah Ibonwa, Esq; Lado Ladoka; Peter O'Donnell; Kate Knox, Esq; and Jonathan Sahrbeck, Esq. Niky Walter Amaris and Jerome Bennett were originally members of the committee, but they were unable to continue with the committee work.

LAW ENFORCEMENT AND THE CRIMINAL JUSTICE SYSTEM

The committee began by examining Charge #1², asking the question “Is the role of the Portland Police Department (PPD) too broad?” The committee was in unanimous

² Charge #1: “an examination of the ever-expanding role we, as a City, have asked the police to play in our community — ranging from responding to noise complaints, traffic violations, and violent crime

agreement that the PPD's role was too broad, specifically citing incidents relating to mental health crises, substance use-related incidents, and incidents related to homelessness as areas that could benefit from an alternate response.

All members of the committee felt strongly that Charge #1 was the primary reason they were drawn to this committee work (all for different reasons) and, as such, the group felt compelled to develop a shared set of values and beliefs that would serve as a framework and as guiding principles as they took on the important work of considering the role that the Portland Police Department plays in the City's public safety. The set of values and beliefs are as follows:

We understand our systems are not created to sustain all of our rights as a diverse people living in the U.S.

We believe that fundamentally our system of public safety needs to be restructured to serve all populations equally and equitably regardless of differences.

We understand this committee has formed after the national protests against systemic racism, systemic oppression, and calls to defund the police to address these issues in our city of Portland, Maine.

We must understand and acknowledge the trauma caused over generations that may push marginalized individuals to react or act against being compliant with safety measures of following the police instructions and provide more comprehensive tools for the police officers.

We believe that police officers should be held accountable for the crimes that they commit. No one should be above the law. Very few if any police officers have been convicted of crimes done to Brown and Black communities all over the U.S., which caused a national and international uprising against the police, i.e., the Black Lives Matter uprisings. We must have a zero-tolerance policy for this lack of accountability.

We believe our public safety systems are currently inadequate, relying almost solely on the Portland Police Department. We need to fundamentally transform the public safety system to create a newer system and not rely on the Portland Police Department for all of our public safety concerns.

We believe the current patrol patterns of police in marginalized communities make BIPOC and marginalized children and families unsafe.

to conducting wellness checks and responding to behavioral health calls and drug overdoses — and whether we have provided them with the appropriate resources to accomplish this work”

We acknowledge there is a psychological screening for police officers but it is not enough. There are serious public safety risks when police officers carry personal prejudice, racism, white supremacy, sexism, xenophobia, homophobia and any other type of discriminative behavior or beliefs. This should not be tolerated. We do not tolerate this.

We believe Portland police officers, like all other people in the U.S., must acknowledge flaws within the system, as well as within themselves and will do the work to become anti-racist, which includes dismantling a system designed to harm and oppress marginalized/BIPOC individuals.

We believe that the current community policing system leads to excessive and unequal police presence in Portland's marginalized communities which leads to mistrust and trauma for residents of those neighborhoods. Trust will only be built when communities are treated equitably and marginalized communities are not faced with the constant physical presence of the police.

We believe people who make mistakes in the U.S. should not be criminalized and face disadvantages to housing, jobs, and education. 25% of people in the U.S. have a criminal record.

The proposals that follow in this section are all imbued with these values that the committee put forth and should be understood in the context of the aforementioned values.

Alternative Crisis Response Model

The Racial Equity Steering Committee wholeheartedly agrees with Superintendent Police Chief David Brown who, while he was the Chief of Police the Dallas, Texas PD, was quoted as saying: "We are asking cops to do too much in this country...[.]We are. Every societal failure, we put it off on the cops to solve...[.]Policing was never meant to solve all those problems."³ This sentiment was affirmed by the video created by the Portland Police Department, "Co-responding to Crisis," where it is noted that approximately 65% of police work is responding to mental health crises, even when these crises do not involve criminal matters or behaviors.⁴ In order to relieve the ever-growing burden placed on the PPD, the RESC recommends that the City fund an

³ "Dallas police chief says 'we're asking cops to do too much in this country.'" *The Washington Post*. July 11, 2016. <https://www.washingtonpost.com/news/post-nation/wp/2016/07/11/grief-and-anger-continue-after-dallas-attacks-and-police-shootings-as-debate-rages-over-policing/>. Chief Brown is currently the Superintendent of the Chicago Police Department. He is known nationally for his community policing efforts.

⁴ "Co-responding to crisis." Portland Police Department. March 29, 2021. <https://www.youtube.com/watch?v=-RSaeVFjGV0>

organization or a project within an organization that would take on the role of responding to non-violent incidents within communities related to homelessness, substance use, and mental health. The RESC recommends adapting a model of response similar to the CAHOOTS model ([Crisis Assistance Helping Out On The Streets](#)). This crisis response model originated in Eugene, Oregon, and has been adopted in Portland, Oregon as well as Denver, Colorado⁵. The researcher hired to work with the RESC identified similar crisis response models operating or being developed in San Francisco, and Indio, California, as well as Rochester, New York. [See Appendices A and B]. The committee recommends that the City publish a request for proposals, inviting area service providing agencies to submit proposals in order to be considered as the contracted agency that would host and administer the services connected with this crisis response model.

The committee believes strongly that this crisis response team must exist separately from the PPD and that the employees of the program not be City employees. The committee recommends that this program be housed within a community-based organization that already provides social services to marginalized communities dealing with homelessness, mental health crisis, and/or issues related to substance use. Housing this project within a community-based organization ensures that the staff will have a solid understanding of the social service networks available within Portland. The committee sees this type of crisis response as being therapeutic rather than punitive, which is another reason the recommends that this program exists separate from the PPD.

When discussing the need for this alternative response to non-violent crises, the committee members brought their knowledge, understanding, and experiences of the traumatic effects of having law enforcement respond to incidents related to substance use, mental health, and homelessness. The committee identified a deeply entrenched lack of trust of law enforcement in marginalized communities, particularly Black, Brown, and homeless communities as a primary source of concern. The committee acknowledged that this lack of trust stems from a long history of over-policing directed at and experienced by those communities, along with historical and present trauma associated with encounters with law enforcement. Committee members are not unanimous in their sense that trust between the PPD and Portland's marginalized communities can be established, but the full committee agrees that alternative strategies must be implemented to address the existing state of relations.

⁵ Denver has created a program called Supported Team Assisted Response (STAR): <https://denverite.com/2020/06/08/a-long-planned-program-to-remove-police-from-some-911-calls-launched-as-denvers-streets-erupted-in-police-brutality-protests/>

Training

The committee recommends that the Portland Police Department, and all other city departments, regularly undergo a full departmental racial equity assessment conducted by external consultants, such as [Mid-Atlantic Equity Consortium](#) or the [Government Alliance on Racial Equity](#) (GARE).⁶ [See Appendix C]. The committee believes that a combination of racial equity assessment and in-depth anti-racist and/or anti-bias training is needed to begin to ensure that law enforcement, City staff, and City Council are engaging with Black and Brown people in equitable ways. The committee feels strongly that anti-bias trainings lose their efficacy when they are not performed regularly and when they are not partnered with an assessment of procedures and policies that may contain overt and/or covert racial biases. This assessment should be performed regularly, with the level of frequency established by the organization completing the assessment.

Oversight and Accountability

As stated in the values statements: the RESC feels strongly that individual law enforcement officers should be held accountable for the crimes that they commit against all people – marginalized people in particular. The committee unanimously agreed that there should be repercussions for officers who have committed crimes. Carrying a badge should not grant any individual immunity when harm is caused; therefore, the committee recommends clear oversight and accountability systems for police conduct – systems that would allow for officers to be held as accountable for their actions as a civilian would be held accountable if they committed similar offenses and harms. In order to move towards these systems of accountability and oversight, the RESC recommends the following [See Appendix D]:

Screen Police Officers for personal prejudice, racism, White Supremacy, sexism, xenophobia, homophobia and any other type of discriminatory behavior and/or belief systems. The committee recognizes that new incoming law enforcement officers undergo extensive training, both at the Criminal Justice Academy and at their local PDs. The committee believes it is imperative to instate or enhance screening procedures for incoming officers that go beyond asking incoming officers a series of questions. The committee would like to see regular and targeted, research-based screening tools used to assess law enforcement officers to reduce the risk of personal prejudice, racism, White Supremacy, sexism, xenophobia, Islamophobia, homophobia, transphobia, or any other type of discriminatory behaviors and belief systems. This screening should, in the least, encompass the individual, their personal connections, and their social media accounts and/or other online presences.⁷

⁶ Portland Public Schools is currently engaging with Mid-Atlantic Equity Consortium as consultants for their racial equity work.

⁷ A recent example of an appropriate response to public safety personnel – in this case, members of the National Guard – expressing extremist views can be seen in the actions taken by the Defense

Create better tracking systems on Police Conduct and Behavior. This includes an external investigation process for reviewing complaints and giving special, enhanced attention to officers who are the subject of multiple complaints. The committee believes that a process with more public involvement and transparent oversight is needed in order to keep officers who have complaints leveled against them accountable for their actions. RESC recommends all citizen complaints directed towards individual officers be handled by an outside investigative agency, rather than relying on internal investigations alone. External investigations would reduce conflicts related to personal interests or connections and would invite in a more objective investigation.

The committee recognized the work of the Police Citizen Review Subcommittee PCRS, but was unanimous in their lack of confidence in the PCRS due to the policies that structure and restrict the committee's work. **The RESC recommends that the PCRS be dissolved, and that a more equitable and accountable oversight committee (post external review), be formed in its place.** RESC recommends an oversight committee that welcomes all community participants, regardless of their experiences with law enforcement, the criminal justice system, or their employment. The committee is firm in their belief that the current disqualifications attached to the PCRS stigmatize and punish people who have been arrested and/or who have been incarcerated.⁸

Community Control of Public Safety

The committee feels strongly that some aspects of public safety can be achieved without police involvement. Committee members agreed that there is a distinction between law enforcement, one particular aspect of public safety, and public safety writ large. The committee believes that we have created a culture in which the police are treated as the sole resource for public safety and are called upon for every inquiry and incident that happens within communities of marginalized people. This culture has added extra burdens on law enforcement officers, and the RESC hopes that shifting the focus to community-based resources will help ease some of that burden and will empower communities. The committee recommends the following:

Create a citywide mandate to minimize the amount of police patrol in communities that are predominantly inhabited by BIPOC and other marginalized groups. Relationships between law enforcement and racially marginalized groups – Black people in particular – are strained and caustic. This current state of affairs reflects a long history of detrimental policing policies and tactics directed towards marginalized people and their neighborhoods. One such detrimental policy is constant police presence in BIPOC majority neighborhoods. Visible police presence does not translate into safety or feelings of safety for Black people and other People of Color. Regular

Department shortly terrorist attack or insurrection at the Capitol:
<https://www.nytimes.com/2021/01/19/us/politics/national-guard-capitol-biden-inauguration.html>.

⁸ One committee member in particular, who openly speaks about their incarceration, named the overt inconsistencies about being permitted to serve on the RESC, but not being permitted to serve on the PCRS.

police presence in these neighborhoods makes BIPOC youth and adults feel threatened, as if they are being viewed as suspicious. Regular police presence puts BIPOC youth and adults on edge. The RESC would like to see predominantly Black, Brown, Indigenous, and Asian neighborhoods having the same level of surveillance as majority white neighborhoods, and that, in particular, places where BIPOC youth congregate to recreate be free from visible police presence.

The RESC recommends that the City support the role of community organizers, activists, and trusted community members as credible public safety messengers.

Nationwide, there have been repeated calls to work towards mending the relationship between law enforcement and historically racially marginalized people. Creating a different relationship requires trust, and that trust cannot be established until these communities are no longer harmed by policing practices. That trust cannot be established until the historical and present police-related trauma experienced by Black people and other People of Color begins to heal. Rather than focusing on the relationship between law enforcement and BIPOC communities as a key to public safety, the RESC believes that communities should be empowered to manage some aspects of their own public safety. The committee suggests transforming community policing programs into community public safety programs – programs that would be led by activists, community organizers, and trusted community members who cannot perform arrests, but can contact the police and other emergency resources (such as CAHOOTS-like programs.) when there are public safety concerns that they cannot manage. This public safety team would not be housed in the PPD and would not be affiliated with the PPD.

Policing Individuals

The RESC members recognize that the criminal justice system has deep impacts beyond the police departments and individual law enforcement officers. While an individual's experience with the criminal justice system may involve law enforcement at one particular moment in time, the impacts of this contact will last much longer than that one point of contact. The committee would like to see City Council support, endorse, and strongly recommend policy measures that will help mitigate the long lasting impacts the criminal justice system has on the lives of BIPOC people in Portland. The committee is particularly interested in the ways that these remedies may alter the lives of young Black residents of Portland. RESC recommends that the City:

Advocate for diversion programs and restorative justice programs for people who have minor offenses.⁹ There are currently at least two restorative justice programs

⁹ Diversion programs can act as an alternative to the criminal justice system. One program being used involves the Restorative Justice Institute of Maine (RJIM) leading restorative dialogues with people charged with a crime. RJIM employs trained facilitators who are paid in part by a contract between RJIM and the Cumberland County District Attorney's Office. RJIM serves as a neutral third party and does not represent the justice system. A restorative justice dialogue is a conversation between people involved in a particular crime, harm or conflict to discuss the harm, needs and responsibilities that came from that crime, harm or conflict. A restorative justice dialogue is used

operating in Cumberland County.¹⁰ The Cumberland County District Attorney's office is interested in collaborating with the City of Portland to create more restorative justice options. Diversion programs have a significant impact on young people who come into contact with the criminal justice system. In the *Maine Kids Count* report published by the Maine Children's Alliance in April 2021, it is cited that, despite Long Creek Youth Development Center's overall declining rates of admission, Black youth (and Indigenous youth) continue to have rates of admission well above the state rates.¹¹ The success of diversion programs is also affirmed by this newly published report: "By placing youth in community-based alternatives instead of admitting them for short detainments, Maine was able to reduce admissions [state-wide] by 55 percent."¹²

Support policies and legislative initiatives that seek to regulate bail, and court fines for individuals from marginalized communities. The committee has identified some suggested action steps to move towards this goal. 1) Meeting with the Secretary of State in order to recommend that the Bureau of Motor Vehicles be authorized to minimize fines and reinstatement fees. 2) Support the consideration for individual income levels in bail and court fine determinations, while prioritizing BIPOC and other historically marginalized people.

Create and communicate a clear and accessible review and appeals process for Criminal Trespass Orders. [See Appendix E]. While Criminal Trespass Orders (CTOs) are considered a civil issue – until they are violated – the committee acknowledges that the issuance of CTOs pushes already marginalized people further into the margins by prohibiting them from accessing the social services they need to survive. We believe that these CTOs are an inhibitory factor in meeting basic health, safety and shelter needs of those affected by the CTO. We also believe that CTOs also perpetuate the disproportionate levels of homelessness among Black people in Maine, which is 26 times the rate of the overall Black Mainer population, compared to 3 times that of the Black population nationwide.¹³

primarily to resolve this case while allowing: (1) a victim or a community member to participate, (2) a discussion of the harm that was done by the offense, (3) acceptance of responsibility by the offender, and (4) an opportunity to connect participants to community-based resources.

¹⁰ One program is the young adult program with the RJIM. This program has individuals who are age 18-25. The second program is with Fred Van Liew of the Portland Center for Restorative Justice, and is for individuals over the age of 25. Restorative justice practices are also used in juvenile matters and in other cases that get specifically referred. Over 150 people have participated in both programs and 100% of the participants have had their minor charges dismissed.

¹¹ "Due to historic and systemic racism in Maine and the nation, there is disproportionality in the race and ethnicity of youth detained or committed to...Long Creek Youth Development Center. Overall, 3.3 per 1,000 of all youth ages 12-17 had admission to Long Creek or 295 youth in 2019...[.]American Indian and Black youth had rates well above state rates." *Maine Kids Count Data Book*, Maine Children's Alliance, April 2021, p. 23. <https://mekids.org/priorities/kids-count/>

¹² Ibid., p. 23.

¹³ https://www.mainehousing.org/docs/default-source/housing-reports/2019-point-in-time-survey.pdf?sfvrsn=6d6fb415_4.

The committee took a great deal of time and care discussing CTOs, knowing that staff at social service organizations issue CTOs with an eye towards their own personal safety, as well as the safety of the other staff and the other clients being served. During presentations from Homeless Voices for Justice and Pine Tree Legal Assistance – two organizations that advocate on behalf of and in support of homeless people – the committee heard confirmation that the time periods attached to CTOs (before an appeal can happen) remains too long, and that the appeals process remains unclear.

The RESC recommends that a standing review committee be formed to review CTOs. This review body should include: representatives from Homeless Voices for Justice and Pine Tree Legal, as well as the Neighborhood Prosecutor and a licensed clinical social worker. The committee recommends that CTOs should be reviewed within the first 14 days after being issued and again at 30 days by this body to determine if the CTO was justified and should be sustained. The committee recommends that an appeal process be made available within 30 days of the CTO issuance. Both these review and appeal processes should be documented, making it clear what factors will be considered in the reviews and what kind of information will be accepted and reviewed by the body. The process and documentation should be made available to the public. Neither of these processes should require the attendance of the party charged. However, both the party charged and the body requesting the CTO should be allowed to attend. Finally, the committee is concerned about the impact of the CTO on access to basic human needs and recommends that the city review current practices and try to develop strategies that will minimize the risk on all parties involved. The committee recommends that the organization issuance the CTO **not** be granted a seat on the review committee. Instead, the issuing organization should be welcomed into the appeal process.¹⁴

Create an ordinance promoting the “fair chance” model in hiring and housing.

The committee appreciates the City’s current “ban the box” practice in the hiring process and would like to see this practice extended beyond City employment. The RESC recommends creating an ordinance that would remove criminal background questions from job and housing applications. The committee feels strongly that someone’s past should not bar them from access to stable employment and housing into perpetuity. With this ordinance, criminal background checks would still be permissible, but potential employers would only be able to initiate these checks at the point of the job offer, rather than during the application process. The committee hopes that this ordinance would create a more level playing field.

¹⁴ The committee also drew a connection between CTOs and the CAHOOTS model of service by suggesting that the organization the City contracts with to provide the services related to the new crisis response service could respond to the CTO request and provide an assessment of needs and possible services.

PUBLIC SAFETY AND AREA AGENCIES, ORGANIZATIONS, AND NON-PROFITS

Prior to putting forward and discussing proposals for Charge #2¹⁵, the committee felt it would serve them to develop a working definition of “public safety” – one that looked at safety in a broad context and took race and ethnicity into account. The RESC has defined public safety as the following:

- A. Protecting the wellbeing of people of all races & ethnicities, communities, and organizations.
- B. Safeguarding people from crimes, disaster, and other potential dangers and threats, and reducing fear.
- C. Ensuring that all people get a fair and equitable chance to lead a high quality of life that is not predicted by race.

As they began working on Charge #2, committee members returned to a point several members had brought up at the beginning of the process – a comprehensive racial equity plan cannot be achieved by a committee over the course of a few months. Racial justice and racial equity work need regular attention and constant tending.

Creation of New Entities

To address the ongoing work towards racial equity, the **committee recommends the formation of three new entities: A Department of Racial Equity, a Permanent Board on Racial Equity, and a Racial Equity Task Force.** [See Appendices F, G and H, respectively]

The Department of Racial Equity would employ a Director or Commissioner of Racial Equity as a permanent position within the City Manager’s office. This position would be supported by at least two staff positions, also housed within the Department. This newly established department would liaise with the City’s permanent Racial Equity Board, community members, and internal departments to analyze city policies, programs, and practices with the goal to eradicate any structural or institutional racism within the city government structure.

This department would do the following: 1) collect and compile racial demographics from the GA office and all Health and Human Services departments for applications, denials, and approvals; 2) analyze data, policies and practices, with the objective of eliminating race-based disparities; 3) hear complaints and mediate conflicts between clients and departments; and 4) publish an annual report that captures racial demographics, findings, and analysis. Prior to publishing this annual report, the Director of the department will work with the permanent Board on Racial Equity to create relevant recommendations that will accompany the report.

¹⁵ Charge #2: “reviewing...the way in which the City interacts with area agencies, organizations, and non-profits in the name of public safety and how these partnerships can best work to enhance public safety in the City”

The Racial Equity Task Force would be an ad hoc committee that would only serve for a limited amount of time. The committee would be comprised of city staff, community members, service providers, and policy and data analysts. Their only task will be assessing the public health side of the City's work to ensure that the policies and practices within Health and Human Services are racially equitable. After assessing and recommending the needs related to racially equitable policies and practices within HHS, the Task Force will be dissolved. The recommendations that they make will be passed along to Department of Racial Equity to enact and/or the Permanent Board on Racial Equity to review and keep track of for continued assessment.

The permanent Board on Racial Equity would be a community-based, volunteer board, with one seat reserved for the director of the Department of Racial Equity. The Board will review the findings and the analysis produced by the Department, and will provide feedback and recommendations prior to the publication of the Department's annual report. The permanent Board must include a representative from a service provider that serves the following: people experiencing homelessness, substance use, mental health disruptions, and/or domestic violence; immigrants, refugees, and/or asylum seekers; youth; and currently or formerly incarcerated people. The Board must also include organizations or individuals with expertise with systemic racism and racial disparities. In addition to the previously mentioned categories of expertise, the Board must include a certain number people with lived experiences in the above-mentioned categories and a certain number people who self-identify as Black, Indigenous, or a Person of Color (BIPOC). The committee members have not made a final decision about the specific number of impacted and BIPOC identified people that should serve on the board. The committee will leave that decision to City Council.

Policy Changes

The RESC was targeted in their approach to addressing policy and practices utilized by the City. The committee was keenly aware that a thorough racial equity assessment of the City's policies and practices in total would require at least a year of consistent and dedicated work, which was more than this committee could undertake, considering the parameters of this ad hoc committee. The committee chose to focus their attention on policies that would potentially address some pressing disparities, as well as policies that would create a foundation for future racial equity work. The committee produced four recommendations related to policy changes:

The RESC recommends that all City departments – particularly law enforcement and HHS – collect and publish racial demographics annually. In general, there is a lack of accurate and up-to-date racial demographic statistics available to the general public. Publishing these statistics will enhance the racial equity work the City undertakes. Statistics on race serve as a piece of the foundation for gauging what work needs to be done to advance racial equity and for gauging whether or not progress towards racial equity has been made. An example of the power of these statistics: in the Maine Children Alliance's recently published *Maine Kids Count Data Book*, we learn

that, when comparing 5-year averages for poverty among Black children nationwide, Maine has the highest Black child poverty rate in the country.¹⁶

The committee also recommends that City Council develop and implement [“The Framework for an Equitable Covid-19 Homelessness Response”](#) to address current and future public health crises,¹⁷ including:

- a. Unsheltered People
- b. Shelters
- c. Housing
- d. Diversion and Prevention; and
- e. Strengthening the system for the future.

The committee recommends that the City shift its hiring processes to require that at least 15% of City employees are from historically marginalized racial and ethnic groups. Despite Maine continuing to hold the distinction of being one of the whitest states in the nation, Portland’s population has seen rapid rates of diversification that don’t seem to be slowing. The percentage of people who are Black, Indigenous, Latinx, of Asian or Middle Eastern descent, or multiracial has steadily increased in the past decade. Between 2000 and 2019, these percentages shifted approximately 10 percentage points – from 8.8% to 18.1%.¹⁸ The City’s workforce should represent the changing demographics of Portland. This should be particularly true with any public facing positions, as it is most likely that those employees will be interfacing with Portland residents who are not white.

The RESC recommends that 10% of all City contracts are reserved for businesses owned by historically marginalized racial and socioeconomic groups. In addition, any contracts initiated by the City totaling 500 thousand dollars or above should require a minority subcontractor before they can be awarded.

¹⁶ *Maine Kids Count Data Book*, Maine Children’s Alliance, April 2021, p. 26.
<https://mekids.org/priorities/kids-count/>

¹⁷ This framework – along the tools and materials associated with it – was developed collaboratively by: Center on Budget and Policy Priorities, National Alliance to End Homelessness, National Innovation Service, National Health Care for the Homeless Council, National Low Income Housing Coalition, Urban Institute, Barbara Poppe and Associates, and Matthew Doherty Consulting. The collaboration continues to guide and shape this framework. <https://endhomelessness.org/wp-content/uploads/2020/04/COVID-Framework-4.29.2020-1.pdf> (Version 4: October 19, 2020).

¹⁸ *Portland’s Plan 2030*. February, 2017.
<http://www.portlandmaine.gov/DocumentCenter/View/15411/Portlands-Plan-2-10-2017-?bidId=>.
United States Census, Population estimates July 1, 2019.
<https://www.census.gov/quickfacts/fact/table/portlandcitymaine>

Housing

The committee spent a great deal of time discussing housing security, homelessness, and equitable practices around low-income and affordable housing. The committee feels strongly that access to secure and stable housing is a public safety issue, and they are aware that there is a disproportionate amount of BIPOC residents of Portland who do not have access to secure and stable housing. The RESC supports the creation of more low-income and affordable housing for Portland. Rental costs continue to rise in Portland, while wages remain stagnant. This trend continues to place a burden on Portland residents and their families.¹⁹ Federal rental assistance provides a great deal of support for vulnerable people living in Maine in all types of communities,²⁰ but wide socioeconomic gaps still exist between BIPOC people and white people living in Maine. As an example, between 2015-2019, the poverty rate for Black children living in Maine was 45.6%, which is more than one-third above the national average of 33.2%. In that same time period, the poverty rate for non-Hispanic white children was also higher than national averages, but at 13.5% compared to 11.1%.²¹ Stable and secure housing creates a pathway to future economic security. In order to create more racial equity in Portland's housing, the RESC recommends the following:

Develop specialized supportive permanent housing to address the increasing need for the unhoused population. [See Appendix I]. Many unhoused people face diverse challenges such as substance abuse, chronic medical conditions, mental health, behavior health and temporary unemployment. Specialized supportive transitional homes will help address the underlying conditions which lead to homelessness and present the best opportunity for self-sufficiency and dignity.

Stop disposing of public owned parcels/plots and land and develop such parcels/plots as mixed income property to address the lack of affordable housing in the market. [See Appendix I]. Most of the rental housing stock affordable to 100% of the Area Median Income (AMI) in Portland are single occupancy rental (SOR) and one-bedroom dwellings, which are not suitable for young families. Priority should be given to the development of three and four bedrooms units to encourage families to live and work in Portland. It will also reduce the burden on taxpayers because the income from these properties can support and sustain specialize supportive housing.

Increase space for housing developments by creating alternative solutions for parking and public transportation. [See Appendix I]. These alternative solutions would free up parcels and plots for residential development.

¹⁹ At a RESC public comment session, staff from Preble Street informed the committee that approximately 22% of the people receiving services from the organization identify as BIPOC.

²⁰ "Maine Federal Rental Assistance Fact Sheet," Center on Budget and Policy Priorities, December 10, 2019. <https://www.cbpp.org/sites/default/files/atoms/files/12-10-19hous-factsheet-me.pdf>

²¹ *Maine Kids Count Data Book*, Maine Children's Alliance, April 2021, p. 26. <https://mekids.org/priorities/kids-count/>

The City of Portland should study innovative housing models, including, but not limited to, the [Vienna, Austria's Social Housing Model](#).²² [See Appendix I]. The model adopted by the City should be effective in increasing and preserving Portland's affordability housing stock in perpetuity.

The city of Portland should cover the down payment for historically racial disadvantaged residents of Portland who have housing choice vouchers and qualify to purchase homes. [See Appendix J]. With this plan, the City would pay the 3.5% house down payment for people qualifying for Section 8, and would ask for the Private Mortgage Insurance (\$150/month) be waived by the mortgage company. New homeowners under this plan would be required to live on the property for at least 10 years, and could be asked to take out a secondary lien on the property in case of foreclosure. The program would be limited to 10 qualifying families each year. This program would need to be advertised in clear language (with translated materials) and would be coupled with free training for new home owners. A key proponent of the outreach efforts for this program would be empowering people who distribute Section 8 vouchers to talk to voucher recipients about the program. Many people who receive Section 8 vouchers don't realize they're also eligible to purchase a home. When doing outreach and advertising the program, materials should include clear narratives and examples of the process of enrolling and participating in the program so that it can be understood by the widest audience. The RESC also recommends assigning "case workers" to new homeowners to help them become more comfortable with budgeting for house costs.

Eligible low-income tenants should be granted release from lease obligations when income based affordable housing apartments become available for them to occupy within 30 days upon confirmation with the property management company. [See Appendix I]. The process for this lease obligation release would be initiated by the tenant who would have to make a formal request. Low-income residents can remain on affordable housing waitlists for months and years. Currently, when affordable housing becomes available, low-income residents who are already renting a property will have to incur the fees associated with breaking a lease in order to move into the affordable housing that's just become available to them.

Create a City ordinance that would require new and existing subsidized property developed with LIHTC, TIF, and MAHTC that are requesting a zoning change to redevelop the property, including to increase density, need to maintain affordable units for at least one third of proposed units, and maintain the balance of diverse families and demographic needs. [See Appendix I]. In addition, if the land is sold at or below market value, the following will be reimbursed to the city:

²² The term "social housing" is used to refer to government owned or government regulated affordable housing. Vienna's social housing system is world renowned for being an effective and innovative model that provides affordable housing to Vienna residents. "Vienna's Unique Social Housing Program," U.S. Department of Housing and Urban Development. January 31, 2014. https://www.huduser.gov/portal/pdredge/pdr_edge_featd_article_011314.html

- the difference between price sold and market value
- The actual interest rates over the period between acquisition and further development or the transfer of the property
- A 2% capital gain tax, to recoup the value of the land and opportunity cost.

Business

The committee did not spend much time discussing the viability of BIPOC owned businesses, but one concrete recommendation emerged from the discussions.

The RESC recommends that the City **create a collaboration between the Office of Economic Opportunity, local banks, and the local Chamber of Commerce to evaluate businesses owned by BIPOC and develop policies and strategies to help them have better access to capital and knowledge to thrive.** [See Appendix K].

Cultural Climate in the City

While the City's cultural climate does not fit neatly into any of the three charges laid out in the resolution, the committee recognized that Portland's cultural climate plays a large role in whether or not historically marginalized people feel a sense of safety and feel welcomed in the city. Two recommendation emerged that the committee felt would go a long way in recognizing the growing diversity of Portland's population, as well as acknowledging the racist violence that continues to impact so many within that population. The committee recommends the following [See Appendix K]:

Directing relevant city staff to re-name some of Portland's streets after local and national historical figures in order to more fully represent Portland's diverse communities.

Engaging with Creative Portland and local BIPOC artists to create a wall mural or permanent installation piece memorializing victims of racist crimes.

Other Recommendations

Lastly, the RESC recommends that the **Portland City Council have one meeting with Black POWER²³ to discuss demands.** After the killing of George Floyd and the uprisings that followed, a group of Black activists and organizers in Portland quickly came together and created a list of demands for City Council and other municipal and state officials as action steps towards racial justice.²⁴ The RESC recognizes that the

²³ Formerly BLM – Portland.

²⁴ A partial list of demands can be found in "Black POWER: This is who we are and what we want," *Portland Press Herald*, October 30, 2020. <https://www.pressherald.com/2020/10/30/black-power->

organized actions of Portland's Black POWER group and the list of demands they created served as a catalyst for the resolution that formed the Racial Equity Steering Committee. The RESC recommends that City Council revisit these demands and reach out to Black POWER to meet and discuss the demands. The committee did not consult with Black POWER prior to making this recommendation. The committee has no sense whether or not the group would accept an invitation to discuss the demands.

CITY POLICIES, STRUCTURES, AND PROCEDURES

The RESC did not directly address Charge #3 of the resolve.²⁵ Instead, the committee acknowledged that the depth of review required to address and correct any covert and/or overt racism within City policies, structures, and procedures related to public safety would require consistent and ongoing work that lies outside of the capacity of the ad hoc Racial Equity Steering Committee. While discussing the recommendations to create the Department of Racial Equity and the Permanent Racial Equity Board, several committee members mentioned tasking these future entities with the work outlined in Charge #3. After further discussion, the committee is in consensus about asking these future entities to take up this work.

[this-is-who-we-are-and-what-we-want/#](https://www.facebook.com/BLMPORTLANDME/photos/a.112652343804867/116229863447115/). The full list of demands, released on June 6, 2020, can be found on Black POWER's Facebook page:
<https://www.facebook.com/BLMPORTLANDME/photos/a.112652343804867/116229863447115/>.

²⁵ Charge #3: "recommending changes, as necessary, to various policies, structures, and procedures related to public safety that may disproportionately impact Black people and other persons of color with the specific aim of improving community relations, establishing mutual trust and respect, and rooting out and ending systemic racism"

APPENDIX A: Research Memo 1

DATE: NOVEMBER 30, 2020

TO: PORTLAND RACIAL EQUITY STEERING COMMITTEE

FROM: MARCELLE MEDFORD, RESEARCHER

SUBJECT: REVALUATING THE ROLE OF POLICE & STRATEGIES FOR RESPONDING TO PUBLIC HEALTH

Cities around the country are addressing the police's expanding role in community life by trying to remove police from calls that involve (1) psychiatric crisis, (2) substance abuse, (3) issues involving housing instability, (4) domestic violence, and (5) youth behavioral issues. There are a range of CR (Community Responder) ^[1] programs working to intervene on the level of police involvement with under resourced populations. All the programs are designed to de-escalate potential instances of police violence and avert incarceration.

Whereas some programs have health professionals and social workers take the lead in responding to non-emergency calls, other programs aim to pair specially trained officers with behavioral clinicians. The latter strategy may resemble Portland's Behavior Health Response Program (BHRP)^[2].

In the sampling of cities provided below, I briefly describe existing strategies that cities use to address who responds to public health related calls:

- Eugene, Oregon developed the program called CAHOOTS ^[3] (Crisis Assistance Helping Out on The Streets), a mobile response team of EMTs and mental health professional that are dispatched by 911. They coordinate with law enforcement. Other cities that have adopted this program include:
 - Portland, Oregon and Denver, Colorado have launched pilot programs based on CAHOOTS ^[4].
- San Francisco is also developing a street response team "mobile units will include a paramedic, a psychologist or social worker and a peer support specialist, someone with lived experience in addiction and recovery". These teams will take over police calls that report of mentally disturbed persons.
- Indio, California has a program called QOL ^[5] (Quality of Life), which is a specialized outreach program that assists individuals who are experiencing homelessness. They host two permanent officers within their organization.
- Rochester, New York, has FACIT (Family Crisis Intervention Team)—a team of trained social service professionals and mediators—responds to calls related to domestic disputes, youth behavioral challenges, landlord-tenant problems, death notifications, and child abuse. FACIT was originally housed within the Rochester

Police Department; however, following the killing of Daniel Prude—a 41-year-old Black man who died of asphyxiation after police restrained him during a mental health wellness check—the city announced plans to transfer FACIT out of the police department. FACIT will now be housed within the Rochester Department of Recreation and Youth Services’ newly created Crisis Intervention Services Unit, a civilian office established to strengthen and coordinate non-law enforcement responses to public safety needs ^[1].

[1] The Community Responder Model: How Cities Can Send the Right Responder to Every 911 Call

By Amos Irwin and Betsy Pearl. October 28, 2020
<https://www.americanprogress.org/issues/criminal-justice/reports/2020/10/28/492492/community-responder-model/>

[2] <https://portlandmaine.gov/1150/Behavioral-Health-Response-Program>

[3] <https://whitebirdclinic.org/cahoots/>

[4] Cities Aim To Remove Police From Most Psychiatric, Substance Abuse Calls
<https://www.npr.org/2020/10/15/923885799/cities-aim-to-remove-police-from-most-psychiatric-substance-abuse-calls>

[5] https://www.indio.org/your_government/police/ipd/field_service/quality_of_life_team.htm

Other Resources:

A Guidebook to reimagining America’s Crisis Response Systems: A Decision-Making Framework for Responding to Vulnerable Populations in Crisis.
https://www.abtassociates.com/files/Projects/PDFs/2020/reimagining-crisis-response_20200911-final.pdf

Innovative Solutions to address the mental health crisis Shifting away from police as first responders. By Stuart M. Butler and Nehath Sheriff. November 23, 2020
<https://www.brookings.edu/research/innovative-solutions-to-address-the-mental-health-crisis-shifting-away-from-police-as-first-responders/>

Responding to individuals in behavioral health crisis via co-responder models: The Roles of Cities, Counties, Law Enforcement, and Providers. By Ashley Krider & Regina Huerter, Policy Research, Inc. Kirby Gaherty & Andrew Moore, National League of Cities January 2020
<https://www.nlc.org/wp-content/uploads/2020/10/RespondingtoBHCrisisviaCRMModels.pdf>

Beyond Policing: Investing in Offices of Neighborhood Safety. By Betsy Pearl. October 15, 2020

<https://www.americanprogress.org/issues/criminal-justice/reports/2020/10/15/491545/beyond-policing-investing-offices-neighborhood-safety/>

Progressive Criminal Justice Ballot Initiatives Won Big in the 2020 Election. By Sarah Figgatt November 19, 2020

<https://www.americanprogress.org/issues/criminal-justice/news/2020/11/19/493026/progressive-criminal-justice-ballot-initiatives-won-big-2020-election/>

APPENDIX B: Research Memo 2

DATE: FEBRUARY 03, 2021

TO: PORTLAND RACIAL EQUITY STEERING COMMITTEE

FROM: MARCELLE MEDFORD, RESEARCHER

SUBJECT: PRELIMINARY INQUIRY ABOUT CAHOOTS MODEL

The CAHOOTS model in Eugene, Oregon warrants further examination in considering the police's role in the city's public safety. The committee has requested I research the following three questions:

- (1) Does the CAHOOTS program have a language accessibility plan? How do they serve people who primarily use languages other than English?
- (2) Who manages the staffing and hiring process? The parent organization or the city?
- (3) In what ways is the program beholden to the city since they are a funding source?

Findings: Through email correspondence with Arlo Silver, CAHOOTS Office Manager, via White Bird Clinic's General Inquiry Contact Form ^[1]

CAHOOTS uses an interpreter service (called Certified Languages International ^[2]) if the responding team encounters a client that does not speak English. They have over 200 languages on their list.

CAHOOTS manages all their hiring internally, though hires must pass a more stringent background check than other White Bird Clinic hires, due to their access to police radios and information. (For additional details see attached contract between White Bird and City of Eugene)

CAHOOTS is funded by the city. They are limited in the scope of calls they can respond to, based on a few factors: They have a Medical Director that oversees their Medics' scope of practice, and all of their QMHAs (Crisis Workers) are required to participate in supervision with a Clinical Supervisor (QMHP). They have an agreement with Public Safety and Dispatch in both Eugene and Springfield around which calls they send them on, both alone and with Police backup. This is largely due to safety and liability factors. (For additional details see attached contract between White Bird and City of Eugene)

Additional Findings:

Please see attached the Personal Services Contract between City of Eugene, Oregon and White Bird Clinic (Contractor) for CAHOOTS Services. Details on staffing and limitations imposed by the city are on pages 5-7 of the contract and provided below.

See the following sections: [10] "Subcontracting," [11] "Assignment," [12] "Independent Contractor," [15] "Cooperative Planning Requirements" [16] "Staffing Restrictions," [17] "Use of Equipment."

Selections from Contract [Full Contract Attached]:

10. Subcontracting. Contractor was selected for its special knowledge, skills and expertise, and shall not subcontract the Services, in whole or in part, without City's prior written approval, which may be withheld for any reason. Contractor shall require any approved subcontractor to agree, as to the portion subcontracted, to comply with all obligations of Contractor specified in the Contract. Notwithstanding City's approval of a subcontractor, Contractor shall remain obligated for full performance of the Contract and City shall incur no obligation to any subcontractor. Contractor shall indemnify, defend and hold City harmless from all claims of subcontractors.

11. Assignment. Contractor shall not assign the Contract, in whole or in part, or any right or obligation hereunder, without City's prior written approval, which approval shall not be subject to a reasonableness standard. If Contractor is a corporation or partnership, a change in ownership of Contractor resulting from a voluntary transfer of stock or partnership interests, or a transfer upon death or disability of any owner, shall not constitute an assignment unless the transferor is one of the key personnel specified in Section 2.2 of this Agreement.

12. Independent Contractor. Whether Contractor is a corporation, partnership, other legal entity or an individual, Contractor is an independent Contractor. If Contractor is an individual, Contractor's duties will be performed with the understanding that Contractor is a self-employed person, has special expertise as to the Services which Contractor is to perform and is customarily engaged in the independent performance of the same or similar Services for others. The manner in which the Services are performed shall be controlled by Contractor; however, the nature of the Services and the results to be achieved shall be specified by City. Contractor is not to be deemed an employee or agent of City and has no authority to make any binding commitments or obligations on behalf of City except to the extent expressly provided herein.

15. Cooperative Planning Requirements. Contractor recognizes that planning within the City and other state and local agencies is essential to the success of a coordinated service delivery system. Contractor agrees to attend and participate in a reasonable number of meetings and planning efforts initiated by City, and to provide non-confidential data already in Contractor's possession which may be required by City and is reasonably necessary to achieve compliance with City programmatic goals. Contractor agrees to maintain open and responsive working relations with the Eugene Police Department (EPD).

16. Staffing Restrictions.

16.1 Contractor represents that it has employees who have experience and training to provide the services described herein, and in the attached Exhibit B, in a reasonable and responsible manner. City relies upon this representation in entering into this contract. Contractor agrees to provide the employees necessary to provide the services under this contract and to ensure such

employees obtain any training provided by the City. Prior to any employee of Contractor providing the services, Contract shall disclose in writing to City the employee's qualifications and experience to perform these services. All such employees of Contractor shall be subject to the provision of service protocols and the rules of conduct specified in the attached Exhibit B. Contractor shall facilitate a background check of prospective CAHOOTS employees by using a background application provided by the City of Eugene. Contractor shall also inform prospective employees that their full name, date of birth, driver's license number, and other information needed in the security form, will be submitted to the police department for a clearance check prior to employment. The security clearance is required prior to using the police radio or operating a City vehicle. All CAHOOTS personnel will be trained to operate the police radio. The prospective employee shall sign a waiver allowing the background check to be performed by EPD. An authorized White Bird employee shall also sign the waiver from as witness to the signing by the prospective employee. White bird may first make a copy for their records and then send the original form to the Contract Manager at EPD. The Contract Manager has 21 days, not including holidays or weekends, to perform the require background check.

16.2 During the provision of patrol, crisis intervention and transportation services under this contract, the City provided vans shall be staffed by at least two persons per van. At least one person shall be currently certified as an Emergency Medical Technician, First Responder, Registered Nurse, or Licensed Health Care Practitioner, and at least one person shall be commissioned by the City as a Transportation Officer to perform functions under ORS 430.399. The person commissioned by City as the Transportation Officer shall make the final decision regarding transportation of any person to a non-emergency medical care provider or to an alcohol, drug, or mental health treatment facility.

16.3 Except for a trainee observer actively involved in a program leading to employment by Contractor, no person shall ride in the van except for employees of the Contractor, City or Lane County, who are in the course of providing services under this contract and persons being transported to a treatment facility. At no time shall more than three persons employed by, or under training with Contractor, ride in the van. City reserves the right to reject any employee of Contractor and/or its trainee observer from riding in the van or participating in Contractor's provision of services under this contract, on the basis of the individual's driving record or criminal history record.

17. Use of Equipment.

17.1 City agrees to provide Contractor with two (2) modified passenger vans and portable radios for use during the duration of this contract. Equipment shall be provided in good working order, and Contractor agrees to return the vans, radios, and any other equipment the City agrees to provide Contractor for program use, in good working order and general condition at the completion of the contract. City shall provide necessary fuel, maintenance, and repairs of equipment, except Contractor shall bear any costs of any equipment repair necessary due to deliberate, repetitive, or grossly negligent acts by Contractor's employees. City shall provide ongoing maintenance for the equipment according to the standard maintenance schedule. Contractor shall maintain the vans so that it is free of all hazards to inebriated occupants. All vehicle backing requires the use of a spotter to avoid vehicle damage.

17.2 White Bird will provide a secure area for the police radios, which will be approved by the EPD Contract Manager. All CAHOOTS personnel will keep their radios on and at a volume to

hear the dispatcher. If a call dictates a quiet environment, one radio must be kept on and at a volume so that CAHOOTS personnel can hear dispatch. If they have only one radio, it must be kept on and at a volume so they can hear dispatch. If a radio does not work properly, the Contractor will make immediate arrangements to have the radio fixed by City of Eugene technicians. The Contractor will notify, by email, when a radio or vehicle is out of service for maintenance. They will include the item number so the Contract Manager can log a history of maintenance

Sources and Additional Resources

1. Whitebird Clinic's General Inquiry Contact Form: <https://hipaa.jotform.com/203625245190147>
2. Certified Languages International: <https://certifiedlanguages.com/>

APPENDIX C: Proposal for Racial Equity Assessment and Training

February 4, 2021

Portland Racial Equity Steering Committee

Proposal DRAFT: Racial Equity Assessment and Training for PPD, City employees, and City Council

We propose that all Portland Police Department Employees (and all City Employees) undergo extensive Racial Equity Training provided by qualified prestigious consultants such as the Mid Atlantic Equity Consortium out of Bethesda, MD or by GARE - Government Alliance on Racial Equity.

Through the equity training, participants will better understand bias, racism, microaggressions, systemic racism, structural racism, institutional racism, race and power, and race and injustice, and more. This training shall be on-going work, where participants receive training throughout each year of employment.

As a result of this training, looking at data, there will be a reduction in cases of aggression, micro aggression, and racial injustices.

APPENDIX D: Proposals Addressing Law Enforcement & the Criminal Justice System

We understand our systems are not created to sustain all our rights as a diverse American people.

We believe that fundamentally our system of Public Safety needs to be restructured to serve all populations equally and equitably regardless of differences.

We understand this committee has formed after the national demonstrations against systemic racism, systemic oppression, and calls to defund the police to address these issues in our city of Portland, Maine.

We must understand and acknowledge the trauma caused over generations that may push marginalized individuals to react or act against being compliant with safety measures of following the police instructions and provide more comprehensive tools for the police officers.

Little to no police officers have been convicted of crimes done to Brown and Black communities all over the U.S., which caused a national and international uprising against the police, ie: Black Lives Matter. We must have a zero-tolerance policy for this.

We believe our public safety systems are currently inadequate, relying almost solely on the Portland Police. We need to fundamentally transform the public safety system to create a newer system and not only rely on the Portland Police for all of our public safety concerns.

We believe the current patrol patterns of Police in marginalized communities make BIPOC and Marginalized children and families unsafe.

We acknowledge there is a psychological screening for police officers, but it is not enough. There are serious public safety risks when Police Officers carry personal prejudice, racism, White Supremacy, sexism, xenophobia, homophobia and any other type of discriminative behavior. This should not be tolerated. We do not tolerate this.

We believe Portland Police Officers, like all other Americans, must acknowledge flaws within the system, as well as within themselves and will do the work to become an Anti-Racist, which includes dismantling a system designed to harm and oppress marginalized/BIPOC individuals.

We believe that the current community policing system leads to excessive and unequal police presence in Portland's marginalized communities which leads to mistrust and trauma for residents of those neighborhoods. Trust will only be built when communities are treated equitably, and marginalized communities are not faced with the constant physical presence of the police.

We believe people who make mistakes in America should not be criminalized and cause disadvantages to Housing, Jobs, and Education. 25% of Americans have a criminal record.

To begin the process of restructuring, the following initial steps are recommended.

We believe the following recommendations should be implemented:

1. Tracking systems on Police Conduct and Behavior

- CLEAR accountability for police conduct, just as one would be held accountable as a civilian, a police badge does not constitute power above the law when harm is caused
- Investigate complaints and with special attention for officers who received multiple complaints
- Police complaints handled by a separate (outside investigative) agency, outside of the police department to reduce conflict of personal interest and fair investigation.
- Repercussions made for Police Officers who commit crimes. The higher the position, the more responsibility.

2. Screen Police Officers for personal prejudice, racism, White Supremacy, sexism, xenophobia, homophobia and any other type of discriminative behavior

- Compliance policy and procedures are more accessible for individuals harmed
- Using hate crimes adequately when harm is committed to BIPOC/Marginalized individuals (add something that clarifies that this is about using hate crime charges)
- We would like to see targeted scientific research-based screening for Portland Police Officers to reduce risks of personal prejudice, racism, White Supremacy, sexism, xenophobia, homophobia and any other type of discriminative behavior.
- **Offer as an example**
 - Example: “The announcement of the removals came as the Pentagon was intensifying efforts to identify and combat white supremacy and other far-right extremism in its ranks, and as federal investigators sought to determine how many military personnel and veterans joined the violent assault on the Capitol on Jan. 6. The effort seems intended to remove any members whose social media posts or past actions raise suspicion.”
 - Example (continued):
<https://www.nytimes.com/2021/01/19/us/politics/national-guard-capitol-biden-inauguration.html>

3. Minimize the responsibilities of the Portland Police Force

- Clearly identify the difference between Police and Public Safety by promoting more information about what Police responsibility is

- As we create the culture of calling the police first for every inquiry and incident which added extra burden on the police as they have to respond, Portland City could be the leading city in reversing this culture by providing other clear options. For example, CAHOOTS model, Drug & Alcohol responses.
- In order to fund the CAHOOTS model without adding extra economic burden on the city, we need to reinvest resources specifically from the Police budget to minimize their responsibilities. That means cutting down on equipment, gas, hiring costs, police officers, vehicles, jails, and court etc.
- **Create a city policy mandate to minimize the amount of police patrol in the, Marginalized, BIPOC Communities. It makes BIPOC youth & adults feel unsafe.**

4. Support the role of community organizers and activists & credible messengers in public safety

- Remove and transform community police to “community” public safety program
- City should fund organizations to create a community public safety program; led by activists, community organizers, & (credible messengers), who cannot arrest individuals but can contact the police and or other models (CAHOOTSs etc.) when there are public safety concerns. This public safety team will not be housed or connected to the Portland Police
- Hire mental health professionals to assist community public safety teams, as well as mentors that can relate to the individual in marginalized communities to assist in supporting needs. In addition, also supporting youth & maintaining leadership to supporting families

5. Regulate bail, and court fines for individuals from marginalized communities:

- Promote BMV to minimize fines and reinstatement fees, due to disproportionate impact on folks that don’t have the means to pay
- Invite BIPOC/Marginalized individuals who have minor offenses to join diversion and restorative justice programs in order to be release from court and criminal charges
- Suggest consideration for individual income levels in bail and court fine determinations, while prioritizing BIPOC/Marginalized candidates

6. Promote fair chance model/Remove criminal history box:

- Create a city ordinance about removing all jobs and housing within City of Portland with criminal history question on job applications and housing applications
- Have the City of Portland to create an incentive for employers who hire people with criminal

7. Black Power (Formerly BLM Portland):

- Have one meeting to discuss the Black Power Demands.

APPENDIX E: Proposal Addressing Criminal Trespass Orders

The City of Portland Racial Equity Committee is concerned about the perceived inequalities that are created for those who are homeless and who experience mental health disorders as it pertains to the use of Criminal Trespass Orders (CTOs). We believe that these CTOs are an inhibitory factor in meeting basic health, safety and shelter needs of those affected by the CTO. We also believe that CTOs also perpetuate the disproportionate levels of homelessness among Black people in Maine, which is 26x the rate of the overall Black Mainer population, compared to 3x that of the Black population nationwide. The length of time for CTOs would be 3 months for public property and for property that provides services open to the public (i.e., Preble Street, General Assistance, Portland Health Services), and 6 months for private property.

We urge the Portland City Council to develop a review committee that would review of CTOs placed on public properties as well as privately owned properties such as those providing services (i.e., Preble Street, General Assistance, Portland Health Services). This body should include representatives from Homeless Voices for Justices, Pine Tree Legal, as well as the Neighborhood Prosecutor and a licensed clinical social worker. The committee recommends that CTO's should be reviewed within the first 14 days after being issued and again at 30 days by this body to determine if the CTO was justified and should be sustained. An appeal process can be started within 30 days of the CTO. The organization that provides the CAHOOTS model of service can respond to the CTO and provide an assessment of needs and possible services. Both these review and appeal processes should be documented, making it clear what factors will be considered in the reviews and what kind of information will be accepted and reviewed by the body. The process and documentation should be made available to the public. Neither of these processes should require the attendance of the party charged. However, both the party charged and the body requesting the CTO should be allowed to attend. Finally, the committee is concerned about the impact of the CTO on access to basic human needs and recommends that the city review and try to develop strategies that will minimize the risk on all parties involved

The City of Portland should work with the Racial Equity Task Force and/or racial equity experts and Pine Tree Legal to come up with a fair and just due process for appeals and standards that make it clear what someone needs to do to change their CTO status, how quickly you can access a hearing, who the hearing officer is, how to contact the hearing officer, what information will be reviewed and evidence needed, and overall clarify and make the process more transparent and accessible, especially for people with mental health challenges.

The City should codify this process in its ordinance as well as codify language that holds service providers accountable for and prevents discrimination in employment, housing or access to public accommodations on account of race, color, sex, sexual orientation, physical or mental disability, religion, ancestry or national origin pursuant to [5 MRS 4552](#).

APPENDIX F: Proposal for Racial Equity Department and Position

Director of the Department of Racial Equity

Proposal: To create a new Department of Racial Equity for the City of Portland, Maine that will be led by the Director of the Department of Racial Equity.

We propose that the goals of this position will be to work with the City's permanent Racial Equity Commission, the community, and internal departments to analyze city policies, programs and practices with the goal to "eradicate any structural or institutional racism" within the city government structure and to work with the city's police department to review all policies and to reimagine the definition of "community safety,"

We believe this office should work to reimagine and reinvent and reform the systems that have traditionally inhibited the progress of Black and Brown and Indigenous people. We also suggest that the Director consider how other factors such as gender, sexual orientation and disability fit into the discussion and recommendations for reform as well.

APPENDIX G: Proposal to Create a Permanent Commission

City of Portland Racial Equity Steering Committee

DRAFT PERMANENT COMMISSION RECOMMENDATION

January 15, 2021

Background

One of the primary charges of the Racial equity Steering committee is to examine systems and make recommendations that address and respond to systemic racism. The Racial Equity Steering Committee wants to highlight that systemic racism has historical, complicated and intersecting roots in Portland, as it does in Maine and the rest of the United States. As such, the Racial Equity Steering Committee recognizes that addressing and responding to systemic racism requires on-going, long term efforts. This work must address current practices as well as review and analyze emerging ones. We therefore recommend the following:

The Portland City Council should establish a permanent Commission on Racial Equity. This commission should be charged with continuing the work outlined in Resolution 1-20/21. More specifically, the Commission will focus on public safety and racial disparities, and their work will include but will not be limited to:

- Identifying and addressing racial disparities in access to public safety related services
- Developing and overseeing systems for collecting and resolving citizen complaints
- Developing and overseeing systems to improve to the ways in which public safety related information is made available to BIPOC and other marginalized people.

Commission Composition

The Permanent Commission on Racial Equity will be composed of x members. The committee must include:

- nonprofit organizations providing services to:
 - people experiencing:
 - homelessness
 - substance use disorders
 - mental health disorders
 - domestic violence
 - immigrants/refugees/asylum seekers
 - youth
 - currently and formerly incarcerated people
- Organizations or individuals with expertise in systemic racism and racial disparities

In addition, the commission must include

- No fewer than x people with lived experiences in the above-mentioned categories

- No fewer than x people who self- identify as BIPOC.

Note that these roles are not mutually exclusive. Members of the commission may have multiple roles (ex. a BIPOC person who has lived experience with substance use disorders and works with youth).

APPENDIX H: Proposal to Create a Racial Equity Task Force

City of Portland Racial Equity Steering Committee

DRAFT PROPOSAL TO CREATE A RACIAL EQUITY TASK FORCE

Create a Racial Equity Task Force, composed of staff, community members, social services providers, and policy and data analysis experts to examine racial demographics in Health and Human Services programs to:

- a. analyze data, policies and practices, with the objective of eliminating race-based disparities
- b. hear complaints and mediate conflicts between clients and departments
- c. publish a public report on activities and data analysis at least annually.

APPENDIX I: Proposals Addressing Low-Income and Affordable Housing

Maine Housing: Rental Housing Facts and Affordability Index 2020

- 2 Bedroom in Portland including utilities is \$1881 per month. Income needed to afford \$75,223
- In 2000, 57.5% of Portland residents own their own home, currently 43% do
- 47.6% of renters in Cumberland County live in Portland
- Rent increased by 70% compared to a decade earlier

How much residents of Portland are earning has been on decline as well from 1990, when 48.5% of Portland residents earned 80% or less of AMI compared to currently where 62% of the population earns less. The income decline in Portland includes 38% of homeowners. If recent construction trends hold, the market, without compulsion, will build affordable units to meet 29% of demand. This leaves a gap between supply and demand of 33%.

While the median price of new construction is beyond the reach of the middle class, some proportion of new homes are affordable. From 2010-2014, 384 new condominiums and single-family homes were permitted in Portland. The percentage of units sold or marketed for sale at an affordable price was 7%. During the same period, 746 new rental units were permitted. The percentage of units marketed for rent at an affordable price was 41%. Overall, 29% of new housing units permitted from 2010-2014 were offered to the market at a price affordable to a household earning 100% of median income.

The City of Portland 2002 Housing Comprehensive Plan established a goal of subsidized housing at 20% of housing stock.

The population of the City of Portland has been on the decline since 1950 when the population was 77,634 to the current population of 67,000. At the time City of Portland represented 40% of the county population. Currently Portland represents 24% of Cumberland county's total population. Portland's daytime population is around 100,000 which means Portland residents who moved to other municipalities spend most of their time in Portland rather than their new communities. Given the option to live and work in the city affordably, families will return to save on commuting costs

Public and subsidized housing in Portland Statistics (GPCG 2017)

- Public Housing 1051 units
- Subsidized Housing 2772
- Homeless Shelters 568 beds
- Housing 33,836
- Rented 17,601 Owner Occupied 13,134
- 8.19% of the housing stock is affordable

Comparative revenue generated to the City from three properties owned by different developers with and without public subsidies.

	Private AH Private Developer PHA
1 year	\$200,000 \$1,900,000 \$180,000
10 years	\$20,000 \$6,652,000 \$0.000
20 years	\$180,000 \$11,932,000 \$200,000
	\$380,000 \$17,212,000 \$400,000
	\$580,000 \$22,492,000 \$600,000
	\$780,000 \$22,772,000 \$800,000

2020 INCOME LIMITS- PORTLAND HUD METRO AREA

- HUD describes households in the 30% AMI bracket as extremely low-income
- 80% AMI households are described as low-income households
- 100% AMI represents Portland's Workforce Housing rental households
- 120% AMI represents Portland's Workforce Housing home ownership households

Maximum Income Levels

Household Size							
AMI	1	2	3	4-	5	6	7
30%	\$21,100	\$24,100	\$27,100	\$30,100	\$32,550	\$35,160	\$39,650
50%	\$35,150	\$40,150	\$45,150	\$50,150	\$54,200	\$58,200	\$62,200
60%	\$42,378	\$44,822	\$54,486	\$60,540	\$65,383	\$70,226	\$75,070
80%	\$54,950	\$62,800	\$70,650	\$78,500	\$84,800	\$91,100	\$97,350

100%	\$70,650	\$80,720	\$90,810	\$100,900	\$108,972	\$177,044	\$125,116
110%	\$77,693	\$88,792	\$99,891	\$110,990	\$119,870	\$128,748	\$137,628
120%	\$84,756	\$96,864	\$108,972	\$121,080	\$130,767	\$140,453	\$150,139

Source: HUD, 2020 Income limits – Portland HUD Metro FMR Area

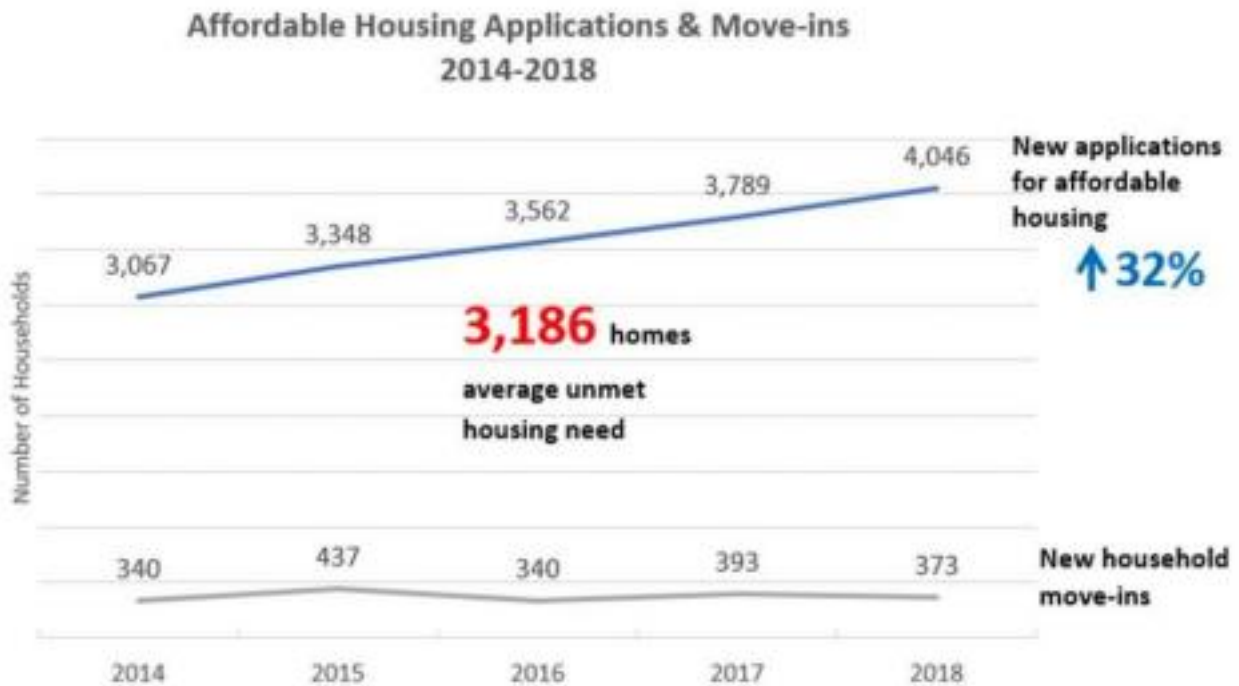
The U.S. Department of Housing and Urban Development (HUD) computes income limits for Portland based on local Area Median Income (AMI). At least 11 HUD programs and 14 other federal programs use some variation of HUD's income limits. Portland applies HUD's income limits to determine and monitor household eligibility with the City's Inclusionary Zoning and Low-Income Housing programs, and for residential housing federally funded through HOME and Community Development Block Grants (CDBG).

MAXIMUM MONTHLY RENT – PORTLAND HUD METRO AREA

- HUD's measure of housing affordability is spending 30% or less of gross monthly income towards housing expenses.
- An affordable two-bedroom rental unit for a Workforce household of two to four people is \$2,018.

Overwhelming Unmet Need

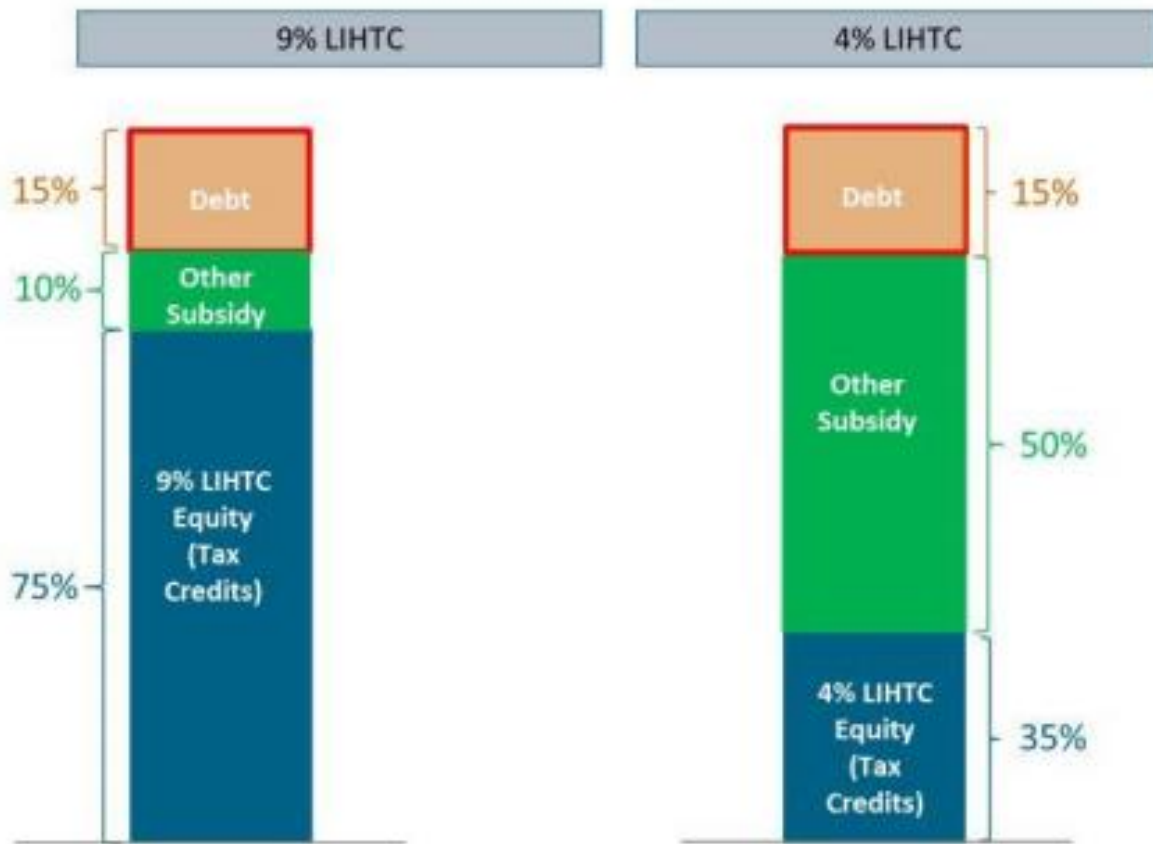
Providers of affordable homes report staggering demand statewide, and an increasing inability to keep up: the aggregate waiting list for affordable housing managed by members of the Maine Real Estate Managers Association, the state's largest apartment association, has risen to more than 32,000 households; the Maine Association of Public Housing Directors reports that over 17,500 Maine households are now on their waiting lists for federal rental assistance, often for 5-10 or more years; and Avesta Housing, the state's largest nonprofit housing agency, reports that over 4,000 households applied for one of their affordable homes in 2018, but only 373 received help:



Additionally, recently released American Community Survey data reveals that more than 35,000 renter households, spread throughout all areas of Maine, are severely rent burdened – that is, paying more than half of their incomes for rent and utilities.

While Maine is experiencing this widespread, unmet need for affordable homes, the annual rate of production of new affordable housing units is only about 250 statewide.

Affordable Housing Financing



POPULATION PROJECTIONS AND HOUSING CAPACITY

The City of Portland's estimated population in 2015 was 66,681. This is significantly less than the City's historic high of 77,634 but represents an increase over prior years. For the period from 2000 to 2010, for example, census data shows that the City experienced a 3% increase in population. Data indicates that the daytime population of the City, approximately 96,000, is significantly higher than the current population estimate.

This plan supports the concept that those who work in Portland should be able to live here as well, and that, over the next decade, the City should aspire to accommodate 75% of the current daytime population, or approximately 72,000 people. Assuming an average household size of 2.08, this translates into a total of 2,557 new housing units over the next ten years. (Pg 206)

There continues to be a sharp contrast between Portland's average household size and that of Cumberland County and the State of Maine. Portland's average household size is consistently smaller. Typically, smaller household size means more and different housing units are needed to accommodate the unique needs of non-family households (pg . 96)

While employment in sectors that do pay a livable wage for individuals or families with two income earners, such as education and health services or professional and business services, have increased over the past decade, the majority of jobs that have been created over the past ten years do not pay an average wage that is adequate to support a family with only

one income earner. Furthermore, **jobs that do pay a livable wage, such as manufacturing, information, or financial services, have declined substantially.** (Pg. 188)

The percentage of individuals and families living below the poverty level has increased significantly since the 2008 recession, with **Portland seeing a more significant increase in poverty status than Cumberland County or Maine as a whole. According to data from the US Census Bureau, 15.7% of Portland families lived below poverty level in 2014.** (Pg.190)

For housing to be affordable, it should consume no more than 30% of a household's gross income, including rent or mortgage payments, utilities, and other housing related costs. According to the 2014 American Community Survey, 51% of renters in Portland and 34% of owners pay more than 30% of their income for rent. **In fact, almost 30% of renters pay more than 50% of their income for housing.** (Pg. 196)

A large affordability gap exists for Portland's rental households. Portland's middle income rental households, whose median income is \$33,081, can afford a rent of no more than \$827. **The median rent, however, has reached \$1,426, representing a gap of \$599.** (Pg. 200)

VOUCHER WAITING LISTS AND CHRONICALLY HOMELESS

There are currently over 5,000 applicants on the central waiting list. Of those, 64% have identified Portland as their preferred place of residence should a voucher become available. Families qualified for a voucher typically wait a year or longer for an available voucher. It should also be noted that at times the waiting lists are closed due to the high demand, indicating that the number of families on the waiting list is not reflective of all the families in need of rental assistance. (Pg. 202)

In 2015, Portland sheltered an average of 454 homeless individuals per night. Even when counting overflow and satellite locations, this number exceeds bed capacity among all shelters by over 100 individuals . . . **About one third (37.6%) of these individuals are classified as chronically homeless.** (Pg. 203)

PERMANENT HOUSING CUTS COSTS:

Providing permanent housing to homeless individuals has been shown to reduce the overall costs of services. The City's Cost of Homelessness Study conducted in 2007 underscores the benefit of providing permanent, safe housing to homeless individuals and families. "Permanent supportive housing" is housing coupled with supportive services for homeless individuals having a disability. A disability includes any diagnosed, long-term disability such as mental illness, substance abuse, physical disability, or combination thereof. Ninety-nine formerly homeless individuals participated in the study. 87% of those who participated resided in the City of Portland prior to placement in permanent supportive housing (the remaining 13% resided outside of Portland, but within Cumberland County). Although providing housing with support services comes at a cost, the study found that **providing permanent supportive housing to people who are homeless cuts the average costs of services they consume in half.**

The average cost savings across all services was found to be \$944 per person per year, or \$93,436 for all 99 participants. 204

Proposals:

1. Eligible low-income tenants should request and be granted release from lease obligations when income based affordable housing apartments become available for them to occupy within 30 days upon confirmation with the property management company.
2. Portland needs to develop specialized supportive permanent housing to address the increasing need for the unhoused population. Unhoused people face diverse challenges such as substance abuse, chronic medical conditions, mental health, behavior health and temporary unemployment. Specialized supportive transitional homes will help address the underlying conditions which lead to homelessness and present the best opportunity for self-sufficiency and dignity.
3. The city should stop disposing of public owned parcels/plots and land and develop such parcels/plots as mixed income property to address insufficiency in the market. Most of the rental housing stock affordable to 100% of Area Median Income (AMI) in Portland are single rental occupancy (SRO), and one bedroom-units which are not suitable for young families. Priority of housing development should be given to three and four bedrooms to encourage families to live and work in Portland. It also reduces the burden on taxpayers because the income from these properties can support and sustain specialized supportive housing.
4. The City of Portland should study innovative housing models, including, but not limited to, the Vienna Austria Social Housing Model to increase and preserve affordability housing stock to perpetuity in Portland
5. Increase space for housing developments by creating alternative solutions for parking and public transportation.
6. New and existing subsidized property developed with LIHTC, TIF, and MAHTC that are requesting a zoning change to redevelop the property, including to increase density, need to maintain affordable units for at least one third of proposed units, and maintain the balance of diverse families and demographic needs. In addition, if the land is sold at or below market value, the following will be reimbursed to the city:
 - the difference between price sold and market value
 - The actual interest rates over the period between acquisition and further development or the transfer of the property
 - A 2% capital gain tax, to recoup the value of the land and opportunity cost.

APPENDIX J: Proposal for Housing Equity

The city covers the down payment for historically racial-disadvantaged residents of Portland who have housing choice voucher and qualify to purchase a home.

- City pays 3.5% down payment for section 8 qualifiers
- Required 10 years residence in the property
- Take secondary lien on the property in case of foreclosure
- Limit participation to 10 qualifying families a year
- Asked for the PMI to be waived by the mortgage company

Housing Choice Voucher

- Shelter Plus for individuals who have experienced homelessness
- Bridging rental assistant program (BRAP) for people who are struggling with mental illness
- Step Voucher two-year housing voucher for formerly unhoused population
- Project-based section 8 program (building specific)
- Section 8 voucher

Waiting list is from three years to ten years (section 8 and project-based section 8)

Housing Choice Voucher priority

- Long term homeless
- Disable
- Veteran

Section 8 Homeownership program requirement:

- Family qualifies for home ownership program
- Housing is eligible for purchase under the voucher
- Family completed first time home ownership training
- Family satisfied the minimum income and work requirement
- Family have not defaulted on mortgage securing debt to purchase home

TABLE 2: The chart below illustrates the direct federal assistance in helping Maine families as of 2018.

FEDERAL RENTAL ASSISTANCE	FAMILIES ASSISTED
House Choice Voucher	11,700
Section 8 Project Based	7,800
USDA Rental Assistance	5,900
Public Housing	3,800
Supportive Disable and Elderly	900

Source: Center on Budget and Policy Priority, 2018

APPENDIX K: Proposals on City's Cultural Climate and BIPOC Businesses

1. The City of Portland will work with the Zoning Administration to change and adapt some of Portland City's street names to represent Portland diverse communities.
2. Engage local artists in creating a wall representing all victims of racist crimes in modern history as a reminder for all of us and people visiting Portland city.
3. Economic Improvement by social empowerment:
 - Collect reliable data about businesses owned by BIPOC and other minorities in Portland.
 - Develop partnership with the Office of Economic Opportunity, local banks, and the local chamber of commerce to evaluate businesses owned by BIPOC, the challenges they experience and develop policies and strategies to help them have better access to capital and knowledge to survive the market and thrive.

APPENDIX L: Public Comments

Racial Equity Steering Committee public comment 3/4/21

Committee in attendance: Lado L, Suheir A, Lelia D, Peter O, Jonathan S, Louis P, Merita M, Pious A, Abdul A, Deb I, Kate K, Samaa A (facilitator)

Public Comment

Jim Devine - Advocate for Homeless Voices for Justice. HVJ supports recommendation that the city develop a homelessness response COVID plan, a alternate public safety response model, and the review of CTOs. HVJ believes that homelessness should be decriminalized. Jim has been harassed by Portland Police officers on several occasions. HVJ supports a proposed bill that decriminalizes behaviors that are often associated with homelessness (such as public urination). Criminalizing homelessness is a ra Housing, not handcuffs will solve homelessness.

George Rheault - lives on Hanover Street. Appreciates the RESC work. Wonders if the committee has thought about the implications of land use or zoning. All of the zoning rules/laws that increase the cost of housing. Zoning was created as a tool of segregation and a tool of oppression to keep immigrants out of certain neighborhoods and to keep Blacks and whites separate. If you sit down with our zoning code, you'll see that we put up laws with our zoning codes that are so complicated, you need a lawyer to understand them. After the charter was established, the first City Manager (in 1926) instituted zoning & this deeply impacted immigrant communities at that time and continues to impact immigrants and people of color. This is a big job & not sure the RESC has the capacity to explore this, but it really needs to be a part of the process. Our planning board and our City Council act as the land use cops, and they are causing more harm in many parts of our communities, in respect to housing insecurity. (More harm than the PPD). The zoning laws is a police power.

Frank D'Alessandro - Maine Equal Justice. Agrees with everything that Jim Devine has said. All of the policies around public safety criminalizes homeless people. We need to adopt policies that house people & rapidly rehouse people. We need to develop more affordable housing. We can all see this happening in the reduction of affordable houses in Portland. We need to create policies that create more vouchers because a lot of low-income people can't secure housing & when they become homeless, they come into contact with the criminal justice system. The racial impact of homelessness and the criminalization of homeless is huge. POINT OF IMPACT STUDY: 20% of Portland's homeless population was Black or African. (Black/African people are 1% of Maine's population). Adopt policies that make sure that people who are homeless do not end up in the criminal justice system.

Nancy Walker - Read the synopsis of the interim report in the Portland Forecaster. Did more research and was happy to find the full report. Particularly happy that the committee believes that anti-racist/anti-bias training is needed for law enforcement & city staff. And is happy that the committee feels there should be more oversight for the Portland PD.

City of Portland Racial Equity Steering Committee Written Public Comment Form

Timestamp	First and Last Name [OPTIONAL]	District or neighborhood you live in	What public safety issue or problem should the RESC address?	What solutions or recommendations do you have to address this problem?	Is there anything else you want us to know about this issue?
2021/01/13 9:06:21 PM AST		West end	Publicly acknowledge the incredible and progressive work thankfully given to all of us by the Portland Police Department.	The problem is in the broader systems, not our police force. Limiting this committee's work to the police is a big miss.	I may have missed it in the meeting recordings, but shouldn't we hear from the police department? Thank you.
2021/01/20 12:48:15 PM AST		4	What City departments already exist that address these issues? How can you build on City Staff's already existing work plans? How is Portland in compliance with Title VI language access?	Language Access	
2021/01/20 4:21:50 PM AST		Front st	Cops and republicans are a bigger threat to minorities than the protection they provide	Re-education camps	We should also make all republicans wear signifying marks like yellow David stars or red armbands.
2021/01/20 11:50:18 PM AST	Zack Barowitz	Libbytown	Housing discrimination. Particularly in the form of single family, large lot zoning which makes multi-unit housing illegal. Aside from the immediate problem of no housing it is probably the main	Eliminate single family zoning. Upzone the entire city. Develop transit corridors and neighborhood nodes. Prioritize housing over parking.	<u>you can start with this:</u> https://vimeo.com/328684375

			contributor to the wealth gap between white and black people.		
2021/01/21 11:48:53 AM AST		Kennedy park	I think we need to put all the white people in a worse part of town than our melanin blessed brothers and sisters. White people are identifiable. By their skin color, but that might not be enough.	We should move all whites to the riverside area on the line between Westbrook and Portland and provide luxurious housing for all minorities in downtown Portland. We should also make white people wear something like a dunce cap when they're in public, so people know that they have committed the crime of being white.	We should consider making a database, so we know who a Republican is around here. They're all Nazis and white supremacists anyway, it would be totally legal based off of that info.
2021/01/21 12:56:18 PM AST	Monique Boutin	District 1, Precinct 2	No-Knock Warrants: I am writing as a part of a Portland group that has been running every Saturday in Portland in conjunction with the national movement, Unity for Breonna, to raise awareness for and hold accountability for action steps in working towards banning No-Knock Warrants to create more equitable and safe communities. As this aligns with the goals of the RESC, we hope that the committee might investigate and address the use of No-Knock Warrants in Portland.	In addressing this problem, we hope that the RESC might investigate the use of No-Knock Warrants in Portland and work towards banning their use in the city. As Delegate Lashrecse D. Aird of Virginia has noted, people who come into contact with law enforcement should be given the respect to have the opportunity to decide how they will respond to law enforcement-- they should be given the dignity of the chance to respond in a positive manner, instead of being forced to react to what can appear as a sudden and intruding threat. At the bare minimum, a mandatory thirty second pause should be introduced, as well as the requirements for law enforcement to announce themselves, to allow people the dignity and respect to be able to gather themselves, instead of reacting impulsively to	In addition to the states that have already banned No-Knock Warrants (Florida, Oregon, and Virginia), Kentucky and Georgia are also in the process of working towards banning these warrants, as are several municipalities, including Baltimore and Cincinnati. Minneapolis and Buffalo have also worked to restrict no-knock warrants in their cities. Campaign Zero is also a resource and

		No-Knock Warrants have been used in the name of the war on drugs, which disproportionately impacts Black, Indigenous, and People of Color. Data collected by Kraska shows that municipal police and sheriffs' departments used No-Knock or Quick-Knock Warrants about 1,500 times in the early 1980s, but that number rose to about 40,000 times per year by 2000. In 2010, Kraska estimated 60,000-70,000 No-Knock or Quick-Knock raids were conducted by local police annually. The majority of those raids were looking for marijuana. Black Americans are nearly six times more likely to be incarcerated for drug-related offenses than their white counterparts, despite equal substance usage rates. Almost 80 percent of people serving time for a federal drug offense are black or Latino. From 2010 through 2016, at least 81 civilians and 13 officers died during SWAT raids, including 31 civilians and eight officers during the execution of No-Knock Warrants. Half of the	what can appear to be a threat to life and safety.	source of information on this issue and the analysis of policing practices across the U.S. in general.
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civilians killed were members of a minority. Since 2011, at least seven federal lawsuits against officers executing No-Knock Warrants have been settled for over \$1 million (New York Times).

There is already an abundance of research on the dangers and risks of No-Knock Warrants that have supported several states' and municipalities' ban of No-Knock Warrants, including Florida, Oregon, and most recently, Virginia. No-Knock Warrants unnecessarily endanger both civilians and officers-- especially as most of these warrants are executed at night, causing many subjects of the warrants to believe they are intruders entering their homes, as was witnessed in the devastating case of Breonna Taylor in Louisville last March. This is especially dangerous given the prevalence of gun ownership in the United States. As Delegate Lashrecse D. Aird of Virginia has noted in banning No-Knock Warrants in her own state, data shows that for the element of surprise intended

			with these warrants, the benefits do not outweigh the costs for law enforcement and those they come into contact with. As a concern for the public safety of all citizens, and for racial justice, addressing No-Knock Warrants should not be a partisan issue. Although federal legislation to ban No-Knock Warrants has been introduced, it is also not an issue that can or need be waited on for federal action when states and municipalities can take action to protect citizens, work towards equity, and create more just states and municipalities. A bill has been put forward in the Maine State Legislature to ban No-Knock Warrants. This is an issue that Mainers want for our state and our country. We hope that Portland can be a leader in addressing No-Knock Warrants in Maine and can continue to be a role model for change and working towards justice in the state.		
2021/01/21 3:42:08 PM AST		North Deering	The open availability of heroin in the Bayside area. Felony drug activity is conducted in full view of the police	Let the police do their job.	People of color are disproportionately affected by opiate epidemic.

2021/01/21 3:44:55 PM AST		North Deering	Needles on the ground in Deering oaks park	End liberal Homosexual rule	Portland public health is actively working against the interest of the people.
2021/01/23 4:51:16 PM AST		Munjoy Hill	Proliferation of Historic Districts in Portland, creating affluent-only neighborhoods (referencing 'c' / equity from above)	1. Recommend a 'no' vote to the city council that votes on 49% of the hill Feb 1 since there has been no evaluation from the RESC (City staff has provided no metrics on how HDs have contributed over the past 30 years to racial inequity, thru increased home values, rents, etc.) 2. Redefine Historic City Preservation to celebrate culture and not only the appearance of facades on structures, created during the rise of economic success by certain Caucasian settlers	We have more Historic Districts than Boston or Providence
2021/01/24 6:25:35 PM AST	Louis Salvato	East Bayside/ Franklin Towers	Homelessness and how they are bullied, abused, denigrated and discriminated against daily! We, as a City, need to stop withholding aid and emergency housing to these People.	Permanent, satellite, emergency housing in different downtown vacant hotels or equivalent. Daytime shelter programs with support resources made available to the homeless. Offer more support and drug use programs to different age and minority groups, such as transgender, gay, teens and young adults. Instead of more police officers riding around arresting, harassing and chasing after the homeless, we must demand funding for other more beneficial positions, such as housing monitors or counselors for the newly housed homeless. Too much police power over the homeless is money misappropriated and consequently misspent!	Ending all racial discrimination in housing.
2021/01/25 1:23:23 PM AST		Riverton	The need for more police officers	Support and treat them with respect	Portland is one of the most diverse places in Maine. I feel like this committee does more harm to any divide that exist- than good. We

					are Mainers, Americans. One problem is created by always describing people by the color of their skin. We are all equal. This whole movement causes resentment for half of the citizens, and a tempting path of entitlement to the other half. The system is feeding the problem. There are thousands of 'oppressed' and 'discriminated against' citizens that do not have black skin color.
2021/01/26 7:29:25 PM AST	Lorenzo Stinson	Portland	Family and Civil Court systems, nonprofit mental facilities and hospitals, and DHHS , CPS and family services	I recommend a committee to investigate the unfair treatment of black and brown children in the system.	Restraints, Medication and isolation for a child at 8yr old who has turned 10 now who has received harsh treatment and has fallen behind 2 grades now Spring Harbor, Sweetser, Portland family court agrees to the trauma he is currently receiving.

2021/02/06 1:43:35 PM AST	Kenneth Capron	Riverton	Define Racial Equity. The name of this committee is misleading as it seems that it is targeted at public safety rather than racial equity. The inequities that exist are not just racially based. IMHO most inequity in Portland comes from class discrimination. In contrast, public safety racial equity is mostly about conclusions drawn by the government before ascertaining enough information on which to make informed decisions - especially related to alleged criminal activity. RESC should start by delineating exactly which characteristics of Racial Inequity are most prevalent, what are their causes and what amount of public education it will take to change old patterns of behavior. RESC needs a roadmap that identifies major throughways as well as dead end roads.	The solutions are easy once the problems are well defined. Education and communication are the primary remedies for discrimination. People need to recognize when the assumptions they make are unrealistic. They need to be taught alternative ways to look at similar circumstances. People need to develop empathy - the ability to look at a situation through the eyes of another. This is why the cancel culture is so harmful. This is why tolerance of bad behavior does more damage than good. This is why the 'go along to get along' concept harms our culture. People are not taught to differentiate rational vs irrational information.	Portland is or has become extremely classist - especially in governance. The people are vaguely involved in actions and decisions. The public is extremely ill-informed seemingly intentionally. They aren't even aware of the secret meetings behind the scenes wherein a few elites get to control the message. How RESC defines inequity may indeed not be racial in origin. Society in general rejected segregation as though it was discriminatory. It may in reality be just the opposite. Forcing one's set of rules and beliefs upon anyone is a social crime. Etc., etc., etc.,
2021/02/20 1:05:27 AM AST	Ada L	Downtown Portland	We need to attract and hire more racially diverse people to Maine.	Incentivize businesses to have diverse talent pools, or provide grants to attract business to this state but have provisions to bring in diverse talent	None

2021/02/24 3:17:30 PM AST	Jim Hall	District 1 (Bayside Neighborhood)	My neighborhood sees MANY public safety issues... however, for the purposes of this comment I'm focusing on wealth and opportunity gaps underlying many of the inherent and systemic biases you are studying (see below)	<u>Perhaps this will fall more under the purview of the proposed permanent Racial Equity Department or Board – but I wanted to share a great TED talk I came across that outlines some practical recommendations to reduce long-standing wealth gaps (summarized in bullets below). The focus was on Federal and enterprise level policy, but we've seen how a dedicated municipality like Portland can introduce its own solutions where the nation fails (e.g. resettling asylees).</u> <u>https://www.ted.com/talks/kedra_newsom_reeves_how_to_reduce_the_wealth_gap_between_black_and_white_americans</u> <u>• Increase awareness of banking products in underbanked communities</u> <u>• Develop tools to expand credit access to formerly marginalized groups</u> <u>• Direct investment to build community resources in traditionally de-invested areas (... this is perhaps the most relevant to municipal action, such as Portland's designation of Bayside as a CDBG focus neighborhood)</u> <u>• Incubate business ownership by historically underrepresented groups</u> <u>In relation to this last bullet – Roux Institute just announced Northern New England's very first startup accelerator, and they may just be interested in hearing from someone with RESC</u>	Just thank you for your work!
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				<u>experience about ways they could implement actively inclusive protocols.</u> <u>https://mainestartupsinsider.com/techstars-roux-institute-launch-accelerator/</u>	
2021/03/14 8:02:46 PM AST		Munjoy Hill	1. The racist institution that is the police 2. Houselessness 3. The opioid crisis	Abolish the Portland Police Department and use their budget to create free public housing and to open and operate safe injection sites and free treatment centers.	
2021/03/15 9:01:49 AM AST	Maine People's Housing Coalition is a network of people centered in greater Portland, Maine who believe that housing is	MPHC has members who have rented and lived unsheltered in all of Portland's 5 districts.	1. CTO stands for Criminal Trespass Order, although the "infractions" that lead to a CTO are frequently not crimes. The current use of CTOs in Portland shelters is cruel and unusual punitive punishment that, like all forms of criminalization, disproportionately harms racialized people, often acting as a death sentence for people in the winter. 2. City shelters feel closer to prisons than safe, supportive housing to many of their	1. Replace CTOs with trauma-informed care and restorative justice when necessary. CTOs do not keep the shelters safe but contribute to further violence and suffering in the unhoused community. While staff is being re-trained and policies reimaged, DHHS must immediately: reverse the 2019 policy of CTOs mandating one-year bans from city shelters, as no one should be banned from the shelter for a year for having a bad day; restrict the power to give CTOs to veteran shelter staff, as new hires should not have the same level of authority; make public their policy for staff use of CTOs and the infractions. The current powers are broad and unclear. Shelter residents deserve transparency	Housing is essential to public and individual safety and wellbeing. The housing and homelessness crisis are inevitable results of centuries of explicitly racist housing policies from the federal government's active support of Whites-Only homeowners' loans in the 20th century, to Maine's unwillingness to respect the

	a human right. Our mission is to destigmatize, decriminalize, and end homelessness. Our work is led by unhoused peers currently living in shelters, couch surfing, camping out or experiencing chronic housing insecurity.		residents; rather than providing space for people to get their needs met and feel supported in getting back on their feet, shelters often perpetuate the same structural violence and trauma as prisons, the child welfare system, and other forms of forced institutionalization that have historically been weaponized to exclude, isolate, and murder people of color. 3. Portland's legacy of racist redlining, gentrification, and displacement has made people of color far less likely to own homes; be accepted on rental applications; be offered fair rent and mortgage rates; live in neighborhoods with access to greenspace, nutritious food, clean air, and public transportation; and be housed or sheltered at all. By prioritizing luxury development for tourists and wealthy residents over affordable housing, Portland has intensified the homelessness crisis for BIPOC Mainers while allowing largely White developers to leave multiple homes vacant as investment properties or Airbnb's. Luxury development does NOT create more affordable housing. City councilors,	around policies that affect their survival; and hold a public hearing on CTOs with input from shelter residents, affected people, and service providers. 2. Defund the police and reallocate funds to essential services: Criminalizing and brutalizing Black, Indigenous, and people of color in poverty is not only cruel and traumatizing. It makes it more difficult for people to find stability long-term, both financially and mentally. We should fund the solution, which is housing and support— not the problem. 3. Guarantee overnight indoor space for anyone who needs it and decriminalize sleeping outside, especially while not everyone can access shelters due to the structural reasons stated above. Additionally, police need to stop trashing people's things when they are found sleeping outside, and instead have a system for preserving people's belongings, connecting them with resources, and giving them a reasonable amount of time to move locations if they must. This should be done without the threat of warning, arrest, punishment, or fine. 4. Repair and reimagine our shelter system: Train shelter staff in de-escalation and trauma-informed care. Work with the unhoused community, service providers, and community organizers to develop immediate plans to create additional shelters. 8 shelters have closed in Portland in the last 20 years, while only 2 have opened. Create an oversight committee/advisory board of people experiencing homelessness and community groups/service providers to advise the city council and staff on changes and	sovereignty of its indigenous peoples, to Portland's history of unrepaired redlining alongside grossly accelerating gentrification. This recurring phenomenon leverages people of color's already limited housing options, White racial fears, and diversity myths to profit luxury developers and eventually destroy neighborhoods' racial diversity by displacing people of color. In every state, African Americans are more likely to experience homelessness than Whites-- and similar to Maine's unacceptable COVID-19 racial disparities, Maine is among the 6 states with the worst racial disparities in homelessness (2018, National Alliance to End Homelessness). As one of the only organizations in Maine
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			planners, and housing developers must stop encouraging and enabling this harmful myth if we are going to begin to provide material relief to the poorest Black, Indigenous, and people of color who have suffered through the housing crisis.	improvements going forward to the shelter system and other issues impacting people experiencing homelessness and substance use. The lack of language justice and cultural competency from shelter staff makes it even harder for migrants and people who speak English as a second language to access support, and each shelter should have a budget to implement these improvements. 5. Portland can ban zoning ordinances that prohibit multifamily housing, which were invented for the explicit purpose of racial segregation and implement inclusionary zoning ordinances in historically White neighborhoods instead. Portland must make public, effective plans to implement the new ballot measure banning discrimination based on housing vouchers; as Richard Rothstein says in his book <i>The Color of Law</i>, “to allow owners to claim they are not discriminating by race when renters are turned away solely because they are subsidized makes a mockery of the Fair Housing Act.”	led by people who’ve experienced homelessness, we have a unique perspective to share on the root causes of this problem: state violence against people of color, unacknowledged and unrepaired racist local housing policy, and severe lack of resources and funding for the programs that could begin to reverse this trend.
2021/03/19 8:30:07 AM AST	Kimberly Simmons	District 2 / Munjoy Hill	Violence targeting women of color, in particular -- from workplace sexual harassment, assault, etc, to mass shootings sparked by misogyny, to domestic violence, pose huge problems for the safety of girls and women (cis and trans) of color.	Portland Schools have done amazing work in this area and the City should consider using their anti-harassment policy and protocols as a basis for the City policy and protocols as well. A reporting and response system to address workplace bias and harassment is essential. Coalition building with and listening to survivors is essential. The Me-Too movement is creating many policy recommendations and programs with concrete suggestions too. Organizations like Survivors Speak, In Her Presence, Choose Yourself and others could work with more traditional organizations like SARSSM and	This is a frustrating and decades long problem, often lurking in the shadows. Violence against women, and women of color in particular, hurts our whole community. If Black girls and women were safe in Portland, everyone would be safer.

				Through These Doors, but it will take a staff person to coordinate a coalition effort. There is grant money available for this work and USM's Cutler's Center might be a point of connection.	
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Public Comment Submitted via email

Dear Members of the Racial Equity Steering Committee,

I am writing on behalf of the Antiracism Policy Group at Hope GateWay (HGW), a Portland-based community of faith. The HGW Antiracism Policy Group began meeting monthly last fall and is comprised of approximately 15 people, some of whom live in neighboring towns and a few who attend other churches. I live in Portland at 11 Deerfield Road. Following your submission of the Interim Report to the City Council at its February 22nd meeting, I am writing to share a few thoughts in response to your invitation for public comment (through March 15).

- Regarding your recommendation for the City to adopt a crisis response model similar to CAHOOTS. **We very much support your position that this not be housed within the PPD.** By way of historical precedence as an FYI, consider how we came to have paramedics transport and administer first aid to those in need of emergency care and/or getting to hospitals. Initially, this role was with police departments –as recently as the 1970s. But people were dying because dealing with or transporting people –especially people of color or lower socio-economic status – was not the primary focus of police training and attention. Enter the Freedom Corps of Pittsburgh which in turn launched the first training/creation of a paramedic corps. Now paramedics are part of the fabric of our public safety net. Can it not be so in the area of mental health? For a compelling look-back to this history (and note this is a story full of blatant capitalism and anti-black racism) <https://99percentinvisible.org/episode/freedom-house-ambulance-service/>
- Another resource on this topic I've recently come across but haven't yet fully studied is the work of Rosa Brooks, a Georgetown University law professor who recently spent 4 years working as a police officer in order to gain insights (her book is **Tangled Up in Blue: Policing the American City**). She was recently interviewed on Boston Public Radio and her key point is emphatically stating that....*By underfunding other social services we've created a society in which cops are all-around first responders to everything from shootings, stabbings, domestic assaults and burglaries to mentally ill people walking down the middle of the street talking to themselves. And no one really has the skills to handle all those very different kinds of situations well. Saying police officers have hard jobs doesn't excuse police abuses or the many, many biases, inequities, and cruelties baked into the system. The public has a right to expect—and demand— better policing and radical changes to a system that routinely injures, kills, and incarcerates people, particularly people of color and the poor. But on an individual level, it's extraordinarily tough to be a good police officer.*

- Regarding your recommendation to form a distinct Department of Racial Equity, housed within City government. **We noted in the Portland Press Herald article prior to the City Council meeting that some are already expressing concern around budgetary constraints.** In anticipation of this type of push-back and in full support of this recommendation, we wanted to make sure you are aware of the resources at USM which could provide expertise and person-power at least in the area of data collection and analysis. Through an ad-hoc group of Maine DOE and educators around the state who have taken part in one of the trainings offered by Racial Equity Institute, I met Lisa Morris, PhD who is involved with two USM policy research centers (education-focused) but who also suggested exploring the resources (and potential graduate interns) of the Data Innovation Project of the Cutler Institute. I've included below, with her permission, her contact and other information she shared with me, and note that she expressed an eager willingness to be called on for more information. She also mentioned a colleague, Sarah Goan, who is the project director of the Data Innovation Project at the Cutler Institute.

We look forward to reading your final report next month. Meanwhile, thank you for your time in considering our comments in support of your work.

Dear Members of the Racial Equity Steering Committee,

I wanted to draw your attention to the recent report (co-authored by Julia Hazel, Alberto Morales and me) on the working conditions for educators of color in Portland Public Schools. I hope it might be useful to the committee.

The summary is linked [here](#). The full report can be read [here](#).

In solidarity,
Doris

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