



AGENDA



Police Advisory Board

Date & Time:	Thursday - January 20, 2022 7:00 pm
Location:	Pursuant to House Bill 4212 (2020), this meeting will be conducted electronically and will be live streamed at https://www.youtube.com/user/CityofSherwood .
Attendees	

P.A.B. Members:	Council Liaison:
Brian Dorsey - Chair	Councilor Kim Young
Megan Thornton - Vice Chair	City Staff:
Diane Foster	Interim Chief Ty Hanlon
Mike Meyer	Angie Hass – Admin Assistant III
Marie Schapp	
Mike Schultz	
Mike Smith	
Chris West	
Laurie Zwingli	

1. Call to Order (Chair)
2. Roll Call (Chair/Staff)
3. Approval of Minutes (Chair)
4. Board Member Announcements (Chair)
5. Business (Chair)
 - a. Police Policy Updates (See Attached)
6. Traffic Safety Update (Chair & TSC Liaisons)
7. Councilor News
8. Staff Report(s)
9. Citizen Comment

Pursuant to Executive Order 20-16, citizen comments must be submitted in writing to:

hassa@sherwoodoregon.gov. To be included in the record for this meeting, the email must clearly state that it is intended as a citizen comment for this meeting and must be received at least 24 hours in advance of the scheduled meeting time. Per Council Rules Ch. 2 Section (V)(D)(5), Citizen Comments, "Speakers shall identify themselves by their names and by their city of residence." Anonymous comments will not be accepted into the meeting record.

10. Adjourn (Chair)



Meeting Minutes



Police Advisory Board

Date & Time:	January 20, 2022 - 7:00 pm
Location:	Meeting held virtually through Teams.

P.A.B. Members:	Council Liaison:
Brian Dorsey - Chair	Councilor Kim Young
Megan Thornton - Vice Chair	City Staff:
Diane Foster	Ty Hanlon – Police Chief
Mike Meyer	Angie Hass – Admin Assistant III
Marie Schapp	
Mike Schultz	
Mike Smith	
Chris West	
Laurie Zwingli	

This meeting was recorded and is available for viewing on the City of Sherwood's YouTube channel:

<https://www.youtube.com/watch?v=xZal7VBmcE4>

1. Call to Order

Chair Dorsey called the meeting to order at 7:02 p.m.

2. Roll Call

Board Members Present: Chair Brian Dorsey, Vice Chair Megan Thornton, Diane Foster, Mike Meyer, Mike Schultz, Marie Schapp, Mike Smith, Chris West and Laurie Zwingli

Board Members Absent: N/A

Staff & City Council Liaison Present: Chief Ty Hanlon, Councilor Kim Young and Admin Assistant - Angie Hass

3. Approval of Minutes

November 18, 2021 Meeting Minutes

Mr. West moved that the November meeting minutes be approved as presented. Mr. Smith seconded the motion. All board members voted in favor.

4. Board Member Announcements (Chair)

Mr. Schultz congratulated Chief Hanlon on his new appointment.

Mr. Smith also congratulated Chief Hanlon and stated that was great news to hear.

Mr. Smith spoke of a Ride Along that he took with Officers Jentzsch and Christensen in early December, during the hours of 8 pm-midnight. He highly recommended that others do a Ride Along, if they hadn't already. He shared that the officers were awesome and it was incredibly educational. He had a lot of fun and would do it again in a heartbeat.

Ms. Foster also passed along her congratulations to Chief Hanlon. It is very exciting for both the police department and our city.

Mr. West also congratulated Chief Hanlon. He shared that two Sundays ago (January 9th), he witnessed two of Sherwood's finest working out in the cold, taking care of business. He very much appreciated their hard work. It was a freezing cold morning (temperature was in the 20's) and he and his wife were driving on Tonquin. Water was coming into the southbound lane and traffic had been icing the other side of a dip in the road. When they went around the corner, they saw that there were three cars pretty banged up. There were no first responders there yet, but it appeared that there were no serious injuries. When he and his wife were coming back, they saw that two Sherwood officers and a Washington County deputy were there, dealing with the incident.

Ms. Thornton also congratulated Chief Hanlon. She was glad that he got the position. She always appreciates his responsiveness, honesty and genuine care for the families in this community.

Ms. Thornton shared that her family was just getting over COVID. They felt some relief knowing that their son had received the vaccine shortly before they all contracted it and how that helped with them having more mild symptoms.

She also shared that her husband and son had a close call while riding their bikes that morning by the YMCA on Sunset. Her husband was nearly hit while crossing the street. She asked the YouTube viewers to help get the word out that everyone needs to watch their speeds, especially in school zones. She wished there was something that could be done with that intersection to make it safer. She had spoken to Chief Hanlon right before that night's meeting and was told that it is good to report incidents like that to the non-emergency dispatch (503-629-0111). That is one way the city can keep track of potentially unsafe areas.

Mr. Meyer passed along his congratulations to the new Chief. He went on to share an incident that occurred last Sunday at his business where two Sherwood officers performed lifesaving, heroic measures for one of his customers. Mr. Meyer thanked them and the EMT's that showed up to save that person's life.

Ms. Schapp congratulated Chief Hanlon. She suggested that on his next Ride Along, Mr. Smith go during the night shift, midnight to 3 a.m., specifically. A lot more goes on during that time. She briefly described a time when she went on a Ride Along with her husband in Beaverton between the hours of midnight and 2 a.m. Ms. Schapp spoke of a close call that she experienced in the crosswalk at Pinehurst and Sunset, similar to Ms. Thornton's family's experience. Ms. Thornton stated that reporting these incidents to non-emergency dispatch is important.

Chair Dorsey thanked Chief Hanlon for his willingness to step into the Police Chief role. He shared with the board that there was a very robust and thorough search for our Police Chief. It was a nationwide search. There were some good candidates. Chair Dorsey was proud of the job done to find the best fit. He was also proud of how Chief Hanlon presented himself and how he represented Sherwood during the process.

5. Business (Chair)

Chief Hanlon thanked everyone for their support. He thanked Chair Dorsey and Mr. West for their work on the interview panels. Although he appreciated the process, he never wishes to repeat it as the process was grueling, taxing, and stretched him in many ways. He expressed what a fantastic department Sherwood has. Folks come together time and time again to step up and help to fill the gaps. This is one thing that he didn't get a chance to say enough during the interview process. Chief Hanlon is honored to be serving in this role and thanked all of the board members and the foundation for all they do.

In regards to the comments made regarding traffic, he added that Sherwood will be having road construction over the next three years on Tualatin-Sherwood Road and Pacific Hwy. This will bring additional challenges to the traffic situation. As a department, they are going to have to learn how to navigate. People are going to be finding and taking alternate routes through our city and neighborhoods, as a result. The PD is going to pay as much attention as they can to speeds and those areas of construction. He asked folks to call in if they see something. That is what they are there for. It is their job. When someone calls in an unsafe driver, it goes across the radio to surrounding areas.

Chief Hanlon reported that the PD is still hiring and are currently down four officers. They do have a few conditional job offers out there. Most of the offers are for recruits. They may have one lateral. It is a long process and it will be approximately one year before a recruit would be able to go solo. To add to the challenges, the Police Academy shut down for two weeks, due to COVID. If they are lucky, they can get the new recruits in the academy in May or June. He is excited about the candidates that they do have. Hopefully it will all work out as it is a strange time for hiring. He compared it to a bidding war and feeling like a college coach trying to convince folks to come here. There are many agencies out there going after the same applicants they are.

Chief Hanlon stated that Sherwood PD is continuing to deal with a lot of thefts – theft from vehicles, catalytic converter thefts, etc. The thieves are coming from outside the city. The SPD will continue to patrol the businesses and areas being hit as much as they can. He has received a lot of good feedback from citizens in regards to their efforts.

He spoke of the increased social media activity from their department and some of the positive comments that he has received.

Chief Hanlon let everyone know that there is a fundraising event at Langer's Entertainment Center on Monday night, beginning at 4: Bowl with a Cop. A portion of the proceeds will go to the Sherwood Police Foundation.

a. Police Policy Updates

Chief Hanlon explained that in going forward, he would be reviewing all of the policy updates with the Sherwood Police Officers Association, the Police Advisory Board members and the SPD staff in addition to the City Council.

See Exhibit "A". Chief Hanlon proceeded to go over each of the updates. Tune into the YouTube meeting video at the 25:24 minute mark for the complete review.

Mr. West asked about the section talking about the review of social media sites (Chapter 10- Personnel Recruitment & Selection). Chief Hanlon referred to the full policy. He explained that some agencies had been reluctant in giving information to another agency when doing a background investigation. This can make it extra challenging to conduct a thorough background check for an applicant. Mr. West stated that there has been a lot of discussion in the HR world whether you should or should not look at a potential employee's social media. Ms. Thornton asked if the City had checked with their attorney on what was okay. Chief Hanlon stated that in the past, some employers have required passwords, which has created many issues. For the SPD, social media is a public forum and they are going to check out a candidate's social media site, but they will not ask for passwords. They have not sought legal counsel. Some associations across the nation have fought it. Sherwood will continue to monitor, but didn't know if they would ever require passwords. Chief Hanlon added that they are not necessarily looking through each and every thing. They are mostly just looking for anything that might be a red flag.

Councilor Young pointed out that these changes are due to a house bill, so one would assume they have already been through a legal review. Chief Hanlon stated that was correct.

Mr. West asked what a "sustained" finding is, in regards to the updates mentioned in the Personnel Complaints section. The Chief explained that the driving component of this is Use of Force incidents. This is more in regards to an officer's conduct. If the misconduct falls under the sustained requirements, it will be forwarded to DPSST.

Mr. Smith asked if a candidate is a potential lateral, does SPD go to the DPSST to check out the applicant's records there. Chief Hanlon stated that, typically, the person doing the background investigation will go to the lateral's current and former departments to review their personnel files. He didn't know if, in the future, they might be able to go through the DPSST as well.

Ms. Thornton asked if current employees' social media sites are monitored. Chief Hanlon said that is not part of department policy, but if something inappropriate is posted, they would certainly address it.

Mr. West asked if all of these policy changes were made by legislation and through Lexipol and not because of Sherwood PD changes. The Chief stated that was correct. He will have one SPD policy to add the next time around, though.

Chief Hanlon shared that the traffic officer wrote 81 cell phone citations last month, alone, on Tualatin-Sherwood. He stated that he, himself, has seen more and more people blatantly using their cell phones while driving. Eighty-one is a staggering number when you consider that he has other responsibilities. In addition, the traffic officer wrote over 120 traffic citations in one month. A discussion ensued regarding traffic in Sherwood.

Ms. Thornton made a motion that the board approve all of the policy updates discussed that evening. Mr. Smith seconded the motion and all board members voted in favor.

6. Traffic Safety Update (Staff and/or Liaisons)

Ms. Foster stated that there was not a Traffic Safety Committee meeting in November or December. Consequently, they had no updates to share.

7. Councilor News

Councilor Young reported that the City Council did just recently approve a new member to the Traffic Safety Committee, Lisa Patterson.

Budget season has started for the City and City Council. Budget meetings will be held in May. The City Council Goal Setting Session has been tentatively scheduled for February 4th and 5th. It is always a great time to get council and staff together.

Councilor Young shared that the results of economic development is starting to come into fruition. As most everyone has probably seen, there have been many buildings going in on Tualatin-Sherwood Road. Lam research has just moved into one of the buildings and the city has just received word that a technology / advanced manufacturing company is going to be moving into the 62,000 square foot building. It is huge for Sherwood to be getting these living

wage jobs so residents can live and work in Sherwood. Currently, 92% of Sherwood's work force leaves Sherwood to go to work. In addition, having these businesses come into Sherwood helps to diversify the tax base, which has been a council goal for a couple years.

Going back to the earlier conversation, Councilor Young mentioned that if someone needs to report an incident then they need to contact the non-emergency dispatch number and not call individuals at the PD. This is the best way to keep track of the different issues / incidents.

Councilor Young asked Chief Hanlon when he anticipated filling the Captain role that he just recently vacated. The Chief stated that they will want to fill soon, but the challenge is that they are down four officers. The hope is to have someone in that role by May or June.

Chief Hanlon added that keeping a record of the calls for service is a great way to identify if there is a need (or no need) for ammunition to lobby for and to justify the PD moving forward with more officers. A brief discussion ensued and the number to call was given, 503-629-0111.

8. Staff Report(s)

Discussed earlier in the meeting.

9. Citizen Comment

N/A

Chair Dorsey congratulated Chief Hanlon, once again, on his promotion to Chief.

Mr. Smith commented that the crossing guards by Archer Glen (Sunset and Main) have that intersection well under control and shared how they are dealing with some of the issues. Other board members chimed in on his comment.

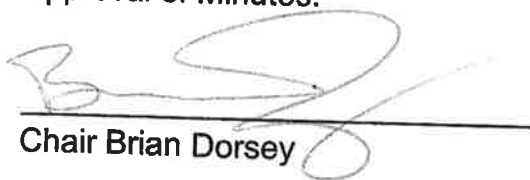
Mr. West recalled that at the last meeting, Chief Hanlon had stated that he challenged the officers taking over the social media duties for the SPD to double the number of followers. He noted that they are moving that way and are at, almost, 7,000 followers. He thought that was pretty cool. He also commented on the SRO's recent post regarding sexting. A discussion ensued and thoughts were shared. Chief Hanlon asked the board members to meet School Resource Officer Wolfer, if they hadn't already. Officer Wolfer is very passionate about his role and happy to be there. He is a great fit for the schools and community.

10. Adjourn (Chair)

Ms. Thornton made a motion to adjourn and Ms. Zwingli seconded the motion. All board members were in favor and the meeting was adjourned at 8:17 p.m.

The next meeting is scheduled for February 17th at 7 p.m.

Approval of Minutes:


Chair Brian Dorsey

2/21/2022
Date

Attest:


Angie Hass, Admin Assistant III

2/21/2022
Date

Exhibit "A"

Policy

Priority

Chapter 3 – General Operations

Standards of Conduct

Major

Information Technology Use

Major

Chapter 4 – Patrol Operations

Contacts and Temporary Detentions

Minor

Medical Marijuana

Minor

Foot Pursuits

Major

Medical Aid and Response

Major

Chapter 8 – Support Services

Records Bureau

Major

Chapter 10 – Personnel

Recruitment and Selection

Major

Drug- and Alcohol-Free Workplace

Major

Personnel Complaints

Major

Personal Appearance Standards

Major

Employee Speech, Expression and Social Networking

Major

Total: 12

Chapter 3 – General Operations

Standards of Conduct

This policy has been updated because legislative action impacts its content. 2021 HB 2929, effective Jan. 1, 2022, amended 2020 Oregon Laws, c. 5, § 2 (House Bill 4205) in regard to reporting misconduct and violations of the minimum standards for physical, emotional, intellectual, and moral fitness for public safety personnel. Changes to this policy include:

- **DUTY TO INTERVENE AND REPORT MISCONDUCT** has been renamed **DUTY TO INTERVENE AND REPORT** to better reflect the content, and content has been updated to expand upon circumstances that require an intervention and report. The bill reference will be replaced once the statute is codified.

Unrelated to the legislative update, additional changes include:

- Punctuation has been corrected in **RELATIONSHIPS**, **PERFORMANCE**, and **CONDUCT**.
-

Information Technology Use

This policy has been updated because legislative action impacts its content. 2021 OR HB 2936, effective Jan. 1, 2022, made findings that racism has no place in public safety and that law enforcement officers hold a unique position in the community. One provision of the new law exempts law enforcement agencies from employer prohibitions relating to social media access, specifically ORS 659A.330. Changes to this policy include:

- In **PRIVACY EXPECTATION**, content regarding the prohibition of requiring an employee provide usernames, passwords, or access to social media accounts has been removed. The purpose of this policy is to provide guidelines for the proper use of an agency's information technology resources. It does not address an employee's personal technology resources. It is recommended that agencies have guidelines in place regarding circumstances when asking an employee for access to social media sites to ensure that an employee's rights are not violated pursuant to the Oregon and United States constitutions. You should work with your agency's counsel when implementing guidelines and protocols.

Unrelated to the legislative update, additional changes include:

- In **PRIVACY EXPECTATION**, **INTERNET USE**, and **PROTECTION OF AGENCY SYSTEMS AND FILES**, serial commas have been added, and capitalization has been corrected.

Chapter 4 – Patrol Operations

Contacts and Temporary Detentions

A review of this policy has resulted in an update to one section. Changes include:

- A typographical error has been corrected in **FRISK OR PAT-DOWN SEARCHES**.
-

Medical Marijuana

This policy has been updated because legislative action impacts its content. 2021 OR HB 3369, effective Jan. 1, 2022, amended law by changing the term "attending physician" to "attending provider," that includes other identified medical professionals. Changes to this policy include:

- In **DEFINITIONS**, terminology has been added and updated, and gendered pronouns have been removed.
-

Foot Pursuits

A review of this policy has resulted in an update to one subsection. Changes include:

- In **INITIATING OFFICER RESPONSIBILITIES**, spelling has been corrected, gendered pronouns have been removed, and a serial comma has been added. The name of the subsection is based on a text entity and may vary depending on how you answered the General Information Questionnaire.
-

Medical Aid and Response

This policy has been updated because legislative action impacts its content. 2021 OR HB 2523, effective Jan. 1, 2022, enacted new law relating to peace officers requesting Emergency Medical Services immediately when restrained persons are suffering a respiratory or cardiac compromise. Changes to this policy include:

- **MEDICAL ATTENTION FOR RESTRAINED PERSONS** has been added as a new section to include the new requirement. KMS automatically adds all new sections to the bottom of the policy, so as not to alter any agency-specific customization. To move the new section to the location Lexipol recommends (below **SICK OR INJURED ARRESTEE**), first, accept all updates. Then, while in the edit mode, hold the cursor over **MEDICAL ATTENTION FOR RESTRAINED PERSONS**, right-click for options, and select the option "Move." The section titles will appear. Select **SICK OR INJURED ARRESTEE**, and click "Move" once more. You will be prompted to select "Move Above" or "Move Below." Select "Move Below." KMS will refresh and the new section will be in the correct

location and the other sections will be renumbered accordingly. Your agency can also accept all updates without relocating the section, but that is not recommended.

Chapter 8 – Support Services

Records Bureau

This policy has been updated because legislative action impacts its content. 2021 OR HB 2932, effective Jan. 1, 2022, requires law enforcement agencies to participate in the National Use of Force Data Collection operated by the FBI. Changes to this policy include:

- In **RECORDS BUREAU**, the responsibility to report has been added. The bill reference will be replaced once the statute is codified. The subsection name is based on a text entity and may vary depending on how you answered the General Information Questionnaire.

Chapter 10 – Personnel

Recruitment and Selection

This policy has been updated because legislative action impacts its content. 2021 OR HB 2936, effective Jan. 1, 2022, made findings that racism has no place in public safety and that law enforcement officers hold a unique position in the community. The bill enacted law regarding background checks. A new provision is that shared peace officer records obtained for background checks are confidential and require agencies to independently verify information contained in shared employment information. Changes to this policy include:

- **SELECTION PROCESS** has been updated to include the provisions, list formatting has been corrected, and the Edit Level has been changed from "Best Practice" to "State."
- In **REVIEW OF SOCIAL MEDIA SITES**, a citation has been removed, and "shall not" has been changed to "should not" in relation to requiring candidates to provide passwords, account information, or access to password-protected accounts. The bill exempts law enforcement agencies from employer prohibitions relating to social media access. Although Oregon law now allows social media access, this best-practice policy content was drafted to protect agencies from potential claims of discriminatory hiring and issues relating to applicant privacy interests. Lexipol's policy content is drafted to limit the information learned by an agency to information that can and should be considered in the hiring process. A search of a candidate's private social media page could disclose information that is not only not relevant to the hiring process, but also prohibited from consideration in hiring and intensely private. Information that is prohibited from use in the hiring process is dictated by state and federal law. The policy recommends that agencies utilize the services of a trained and experienced third party to conduct reviews to protect the rights of candidates. This content can be customized to best suit the practices of

your agency, but because of potential claims of discriminatory hiring practices, Lexipol recommends that you consult with your agency counsel when customizing the content.

Agencies should also confer with the Department of Public Safety Standards and Training (DPSST) for guidance in regard to the new law in the bill regarding the requirement that DPSST create a statewide uniform background checklist and standardized personal history questionnaire for use by law enforcement units in the hiring process. There is no mandate on a law enforcement agency stated in the law, but it is anticipated that there may be regulations or guidelines from the DPSST which may require the use.

Drug- and Alcohol-Free Workplace

This policy has been reviewed and updated for consistency with the Drug-Free Workplace Act, which requires federal grant recipients to maintain a drug-free workplace. The scope of this policy originally extended to drug, alcohol, and controlled substance use by members during the discharge of agency duties. However, that scope expanded as state and federal laws regarding marijuana began to diverge. This update is in keeping with the original scope of the policy. Revisions have been made to provide agencies with a policy that does not go beyond the requirements of the Drug-Free Workplace Act. Therefore, content related to the off-duty use of medical cannabis has been removed because the Drug-Free Workplace Act does not regulate off-duty drug possession or use by a federal grantee's employees. Please note that the removal of references to off-duty drug use from this policy does not mean that illegal off-duty activity by agency members is allowed. Lexipol's Standards of Conduct Policy addresses off-duty illegal conduct, including illegal drug use, by directing members to obey all federal, state, and local laws, as well as instructing members to conduct themselves in a manner that does not impair the good order and discipline of the agency. Agencies should also be aware that the issues and the law surrounding the authorized use of medical cannabis and its impact in the workplace continue to develop rapidly on both a state and national level. Your legal representative and human resources department should be consulted, for example, before making decisions regarding an employee who has tested positive for cannabis and claims a medical need.

Changes to this policy include:

- A statutory citation has been moved from **GENERAL GUIDELINES** to **PURPOSE AND SCOPE**.
- In **GENERAL GUIDELINES**, content prohibiting the use of alcohol and drugs in the workplace has been removed because it is duplicative of prohibitions provided in the Standards of Conduct Policy, gendered pronouns have been removed, and a policy reference has been corrected.
- **USE OF MEDICATIONS** has been updated for clarity, gendered pronouns have been removed, and content has been moved to **MEDICAL CANNABIS**.
- **MEDICAL CANNABIS** has been added as a new subsection in **GENERAL GUIDELINES** to specify that on-duty use of medical cannabis is prohibited.
- **REQUESTING SCREENING TESTS** has been renamed **SCREENING TESTS**, and content has been updated to include Lexipol's best practices.
- **SUPERVISOR RESPONSIBILITY** has been renamed **SUPERVISOR RESPONSIBILITIES** to better reflect the contents.
- **SCREENING TEST REFUSAL** has been renamed **DISCIPLINE** to better reflect the contents, and gendered pronouns and unnecessary content have been removed.

- **CONFIDENTIALITY** has been updated to include an applicable policy reference.
 - The Guide Sheet has been updated.
-

Personnel Complaints

This policy has been updated because legislative action impacts its content.

2021 OR HB 2929, effective Jan. 1, 2022, requires the Department of Public Safety Standards and Training (DPSST) to be notified of a sustained finding of misconduct under 2020 Oregon Laws, c.5, § 2 (House Bill 4205).

2021 OR HB 3145, effective Jan. 1, 2022, adds new law relating to agencies providing notice to DPSST when a final discipline upon a peace officer includes an economic sanction.

Changes to this policy include:

- **NOTIFICATION TO THE DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING** has been added as a new section to include the notification requirements. The bill references will be replaced once the statutes are codified.
-

Personal Appearance Standards

This policy has been updated because legislative action impacts its content. 2021 OR HB 2935, effective Jan. 1, 2022, amended the anti-discrimination law in Oregon. It is unlawful to discriminate based on race, and the law amends the definition of "race" to include physical characteristics associated with race, including but not limited to natural hair, hair texture, and protective hairstyles. Changes to this policy include:

- **EXEMPTIONS** has been added as a new section to include the amended law and provide guidance for accommodations.
-

Employee Speech, Expression and Social Networking

This policy has been updated because legislative action impacts its content. 2021 OR HB 2936, effective Jan. 1, 2022, enacted law that requires agencies to adopt policies that set the standards for speech and expression by peace officers. This policy addresses the requirements of the law by providing guidelines for the regulation and balance of member speech and expression in other communication mediums with the legitimate needs of the agency. It addresses all known communication mediums where a member could potentially have a platform to abuse the limitation on speech or expression. This policy helps a member understand the balance between the individual member's rights and the agency's needs and interests when exercising a reasonable degree of control over member speech and expression. Changes to this policy include:

- In **PURPOSE AND SCOPE**, a citation has been added, and the Edit Level changed from "Best Practice" to "State."
- The Guide Sheet has been updated.

Unrelated to the legislative update, additional changes include:

- In **APPLICABILITY**, **SAFETY**, and **PRIVACY EXPECTATION**, punctuation and capitalization have been corrected, and technology references have been updated.